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PLAIN LETTER
TO
HIS ROYAL HIGHNESS
THE
PRINCE OF WALES,
UPON HIS
PLAIN DUTIES
TO HIMSELF, HIS WIFE, HIS CHILD,
AND
TO THE NATION,
AS SUCH DUTIES ARISE OUT OF THE LATE
INVESTIGATION
OF THE
CONDUCT OF
THE PRINCESS OF WALES.

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LETTER, &c.

I DO not believe that there is an Englishman with a heart so callous, an understanding so depraved, or a mind so indifferent to the legitimate and constitutional succession to the throne, of this my country, as not to have felt the deepest emotions of sorrow and sympathy, for the forlorn, neglected and unhappy condition of the Princess of Wales; the true and acknowledged wife of Your Royal Highness. Nor any considerate person who has not been truly sensible that the situation in which Her Royal Highness has been placed, is of all others, the most likely to encourage malice, excite slander, and induce the busy, the interested, and the venal, to promulgate reports, at once calculated to destroy the peace and reputation of Her Royal Highness; to infuse the most poisonous doubts in the minds of the people, and spread the most pernicious alarms.

throughout the country. That such feelings, such doubts, and such alarms, are very general ;— That what is ridiculously called “ a delicate investigation,” has been made, Your Royal Highness is not to be told ; but every friend to the House of Hanover, to the constitution of England, at all acquainted with the sufferings of an unprotected, and I BELIEVE innocent Lady, under a most grievous and infamous charge expects, and if he be an Englishman has a right, to be told the causes that have produced such extraordinary effects.

But before I call upon the honour, the justice, the humanity of Your Royal Highness, to stand forward as the vindicator and protector of Her Royal Highness, or take the liberty of observing what would have been the duty of any man whose wife had been so defamed and accused, but more particularly the duty of Your Royal Highness, relatively circumstanced as you are with the Princess ; and before I ask from Your Royal Highness, every proper, candid, and satisfactory information, I will, in a few words, bring back to

your recollection, your union with and separation from Her Royal Highness.

In whatever light her situation be viewed, grief and commiseration afflict and swell the heart ; whatever allowances be made for the unnatural manner of Royal marriages, for the passions of human nature, or for the disappointed pecuniary expectations of your Royal Highness : (for I believe, either a great personage, or the late Premier, or both, did not keep so good faith with you as was expected;) yet with all these allowances, the treatment of Her Royal Highness will not raise the English in the estimation of Europe, nor increase the catalogue of Your Royal Highness's virtues, by the fidelity, tenderness, confidence and protection, you have extended towards her Royal Highness. You first beheld her a beautiful exotic, transplanted from her native soil to this country, in the bloom of youth, in the full season of life, of health and joy, here in this rich, and fertile land, under the sunshine of Your Royal Highness's affection and fond care, to take root, and spread the branches of Your Royal line, to latest posterity.

Such was the appearance to you, such the honourable and flattering prospect to Her Royal Highness. The nation saw your union with joy, and hailed the event, as one nearest to the heart of our gracious King; made, therefore, more grateful to the heart of his people, and as likely to keep dismissed from Your Royal Highness, the whole herd of gamblers, jockeys, busoons, blasphemers, and profligates; a herd which too frequently, always disgracefully, and often fatally becomes the associates, confidants, and advisers of Princes and great men. Another beneficial consequence was anticipated, by the moral and decorous part of community, that it would terminate, as decency and propriety demanded it should, the open and undisguised intercourse you then had, with the wife of an Earl, your neighbour; and prevent the renewal of a long continued, notorious, and dangerous intimacy, with a lady whose season of life, and religious tenets, did not the better qualify her for Your Royal Highness's bosom friend. How far Your Royal Highness was deceived by the appearance of the Princess, or defeated by the non-performance of those promises, which are supposed to have been made, to

relieve your then embarrassments, I know not, but I am sure the public are greatly disappointed in the expectations they had formed on your marriage ; no one of the beneficial effects, they so fondly and vainly hoped, has followed ; they see Your Royal Highness continue the same course of life, with the same connections. With sorrow, and stronger, much stronger sensations, they remember that your marriage was scarcely solemnized, before you were separated ; no reason assigned, no accusation urged, no misconduct imputed to your wife as the cause, but a total separation must be, and to make it perpetual, by cutting off any possible chance of meeting, a distinct establishment must be had for Her Royal Highness, at a considerable distance from your own.

Her Royal Highness, then, understands she is to reside, and she does so, at Blackheath.—Up to this period, Your Royal Highness and the public, will recollect no allegation is made against the Princess, nor any suspicion of improper conduct upon her part, nor any reason for your separation made known. I admit that you were not then

bound upon any principle to communicate the cause ; the nation was not more concerned, than in the discord, quarrel, or separation, of any private man and his wife, except in the example, which was likely to be the more contagious, as being set by so illustrious a couple ; this, however to be regretted, furnished not a right in the public to be told *why* you were separated.

I believe Your Royal Highness will find the cause, the real and ostensible cause in the reconciliation which had just then taken place between Your Royal Highness, and a most venerable lady of great dexterity, with the experience of a very long life to assist her ; and I am told, of some accomplishments : by what caprice of taste, by what fancy or desire on your part, could you possibly be influenced to abandon a young, lovely and most interesting female, whose person had all the charms of novelty to you, *for a lady* “well stricken in years,” who had long survived every appearance of loveliness ; and who in person had become so huge, as to cease to be interesting to all except the chairmen who had the honour to carry her ! Add to all which, Your Royal High-

ness had been long before upon very familiar terms with this lady ; passion for a new object, therefore, could not mislead you.—Besides, Your Royal Highness was thirty-six years of age, and newly married ; a time of life, and a situation which preclude impetuosity and license, or at least leave no excuse for either.

Your Royal Highness wanted not domestic advice, nor any worldly admonition, Mr. Sheridan was always ready ; in his wisdom, honesty, morality, and his punctilious exactness, Your Royal Highness, the whole world might confide, I doubt not, as those who have confided in him best can tell you ; besides which he loved strong liquors, and could pass night after night in destroying his health, impairing his faculties, or in any other intemperance ; for council therefore, *you need not have gone to this lady.* Had a safe, obsequious, insipid, humble companion been necessary, *the soft and specious Mac Mahon was always careful to be at your elbow :* had a Matron been required, the lady was qualified and ready. Staid habits, a grave aspect, and steady time of life, are considered the exterior requisites for a

nurse ; her kindness, feeling, and attention, you can speak to. Your Royal Highness will excuse me, but you remind me of a man, who wept on his wedding night, because he was told he must sleep from his mother ; for in no other way can I account for your *return to the faded beauties of this Roman antiquity*. When the fire is extinguished, who would rake up the ashes ? To be sure it is possible, that the lady in question may have been a disciple of Doctor Hawes, and under his tuition, studied the benevolent exertions of the Humane Society, in the restoration of life, after the suspension of its functions. Exertions, which from their consequences, have a solid claim on the gratitude and admiration of mankind : this has probably led the lady to consider a method of reviving female beauties and attractions ; and if she can impart the secret of such an art, she will have established a claim equally strong, on the gratitude and admiration of all woman kind.

The Humane Society must, however, be owned inferior to the lady ; they extend their science and bestow their labour successfully, on objects whose vital powers are not altogether extinct, but

she is supposed capable of going farther, and to renovate youth, restore beauty, to resuscitate charms, re-invigorate the human frame, bring back the bloom of health and life, and re-convey the bright and vivid stream of circulation to each dark, tinged, shrivelled artery, and to each lingering labouring vein.—Let the Humane Society “hide its diminished head!” they succeed only within a limited time, some twenty-five minutes or rather more; she commands success at any distance of time, twenty-five years, or rather less:—their arts fail altogether, if nature be no longer capable of sensation; her powers extend to bring dead nature back to life, age to youth, decay to bloom, torpor to passion, and what is yet more rare, in the happy and astonishing art or magic, of fixing the inconstant, of imparting stability, and persevering attention to persons, whose friendships or attachments had not too frequently been enriched by such obsolete qualities. Unparalleled greatness! stupendous agency! an individual, and that a female, to rival, to excel the Humane Society

The power and its efficacy, are established in herself—I will, therefore, suggest a

new field of action for her, and in the request I am about to make, I am joined by every protestant man, by every innocent woman,—we all earnestly hope the lady will become the Abbess or Patroness of the Society for female Reform : would Your Royal Highness condescend to second our petition, our thanks would be yours ; and you might easily determine the resolution of the lady to assume the office : while her heart, grateful for such unexpected means of acquiring new fame, might acquit the obligation by whispering in the ear of Your Royal Highness, that your name and patronage would greatly contribute to the objects of the Society for the Suppression of Vice.

With such a Lady Abbess for the one, and with Your Royal Highness as Patron for the other, united with the example of both, how virtuous and noble would our next generation be ! Imagination warms at the felicitous and glowing prospect : chastity and virtue for the girls ; unsullied honour, honesty to a scruple, and dignified sense for the boys. Religion, to be sure, that is an obstacle, but the lady will perhaps think religion a mere form ; if so, the compromise will easily fol-

I use the word form because it is generally believed, though I hope without foundation, that she did by the form of a marriage, affect to satisfy the uneasiness of her conscience, at the alarming thought of sexual intercourse, until it was sanctioned by a due solemnization of the rites of matrimony ; and it was very confidently asserted that she maintained her resolution untill the form of a mock marriage had taken place, a marriage which she knew to be contrary to law, a mere nullity as applied to herself, and a most fatal privation to the other actor in the farce ; at present it deserves no other name ; how seriously it may ultimately be, I will not presume to hint, but I have in my heart enough of regard for the infatuated husband, to caution him against one in his own family. I do believe there is one that would make the subject on any occasion, not "a delicate investigation," for although there may be peace between two of the brothers, it is without a radical reconciliation. I hope the priest who officiated is pensioned, and dismissed the land; I trust there was not a witness, and that there is neither record nor document to be procured to prove the marriage.—I pity the husband in this instance, he

was young, enamoured, and his passion inflamed by resistance ; for the lady knew how to play all the game, and practised all she knew.

Youth did not precipitate her into an heedless engagement ; nor was she influenced by any passion, except ambition or avarice ; she made herself despicable by her motives. Had she loved the man, she had waved a marriage, and not insisted, on a ceremony which subjected him to the forfeiture of his birth-right : I could have then pardoned that act which I must now condemn ; it was a *vile, unfeeling* bargain made, under the mask of conscientiousness and feminine delicacy, when in reality, she looked only to the gratification of her pride ; while she secured to herself the accomplishment of any wish, however inordinate, by placing her husband with such unfair dexterity compleatly within her power ; for she well understood the pains, penalties, and disabilities, which hung *in terrorem* over him, if ever proclamation of this marriage should be made. These penalties may excite in his mind apprehensions which may account for his unremitted attentions to the lady, who after all is a wonderful lady, and I doubt not

Your Royal Highness will consider her entitled to some mark of your Royal favour ; for example, a patent for reanimating the exanimate charms of the fair sex, would be an invaluable right, and Your Royal Highness could grant it without difficulty, when you should pass to the throne of Great Britain ; an accession I pray to God to avert, only because it presupposes the demise of Your Royal Highness's father, our gracious King, a being in whom the nation most implicitly relies ; in him we behold an affectionate and attached husband, diligently and tenderly performing all the duties of that character. The friend, the protector of his wife, and the defender of her honor ; upright in his conduct, and moral in his actions ; temperate in his living, and just, and honest in his dealings ; exact in his payments, a fond and indulgent father, pious without hypocrisy, and attentive to the forms of religion without parade or ostentation. Such His Majesty appears to his people, such are the moral qualities of your father ; few sons have had the happiness and advantage of such an example ; and few examples have been honoured with so close an imitation. The King has never polluted his Royal bed, by pro-

miscuous intercourse, or rank and barefaced adultery; he has never degraded his dignity by mixing with the lowest men, with black legs, and profligates; he has never outraged nature and society by enormous gluttony, and public brutal intoxication; we have not seen him by a wild career of profusion and of expence, reduced to such mortifying distress, as to excite both pity and contempt; there is no instance in which he has descended to borrow money of a tradesman to pay the debt of a mistress, nor indeed can any objection be alleged against His Majesty, for not fully and rigidly discharging every moral relation, as a husband, a father, and a man.

With this conviction upon my mind, Your Royal Highness will readily understand, it is only on account of Your Royal Father's virtues, that I deprecate his demise and your succession, in which I am sure your filial affection most fervently joins me, and the whole nation. I have to apologise, for leaving Her Royal Highness so long at Blackheath unnoticed and disregarded; but I have merely followed the example of Your Royal Highness, and that of the greatest part of the Royal Family.

I know not if I have truly or satisfactorily accounted to Your Royal Highness, or to the world, for your separation ; but I come to speak of the mysterious, private Commission of Inquiry, upon the conduct of Her Royal Highness ; upon the right that every Englishman has to know the result of that inquiry, supposing it to proceed on any allegation of conjugal infidelity in the Princess ; of the duty you owe to Her Royal Highness, to protect her as her husband ; of the duty incumbent on you towards your child ; and, harsh as the word may sound to a Royal ear, of the duty you owe to the public, in consequence of the accusation.

First, as to the private commission : secret inquisitions are repugnant to the British constitution, and not consistent with the spirit of our laws ; our temples of worship, and our courts of justice, are, and ought to be alike open to all persons. Reason and right demand they should be : the supreme court of Parliament proceeds upon the same principle. The commission ordered by His Majesty, does not proceed upon the same principle ; it is close, it is private, it is di-

they are attached to your family ; not because it is Your Royal Highness's family, but your particular family has become a real part, an essential principle in the constitution : and here springs the right of every Englishman to be satisfied as to the result of the inquiry, that no doubt should remain about the legitimacy of the person to possess the throne.—Nor can a higher compliment, or a more endearing proof be given to Your Royal Highness' family, by my countrymen, than their anxiety to preserve the illustrious race of His Majesty in its pure, unmixed, and Royal descent; to guard against the possibility of a disputed title, the horrors of civil war, or the renewal of the bloody contests in the Houses of York and Lancaster, by the representatives of the Houses of Brunswick and Hanover.

I cannot imagine that it will be attempted to withhold any part of the communication from the public, nor contended that the right is not in the people to have it ; for if that right be denied, a monkey or any other animal, any man's child, may be invested with legal authority, the reins of Government be transferred, and the good peo-

ple of England, be without right to inquire or means of redress, except by their own energies, and by their resolution to forego the constitution altogether, rather than submit to such an insult. For who can foresee to what lengths the affirmative of the proposition may go.—It is possible that the next Heir Apparent may be a prince inoculated (for through Your Royal Highness he will not have such qualities naturally) with the true spirit of dissoluteness; filled with base and bad passions, unmindful of the duties of his high rank, and low and corrupt and debauched in all his pleasures:—let us suppose him with a person, which at once bespeaks him the voluptuary and the sot; he sees a theatrical female who shall have been the delight and admiration of the town, as a singer and actress too, but whose sweet voice is broken by perpetually and copiously drinking, and whose elegant and beautiful person is destroyed by the ruinous effects of strong liquors, with a polluted stomach and a tainted breath: such an actress Your Royal Highness may remember lately died. The next Heir Apparent, inflamed by appetites grossly indulged, conceives what he may call a freak for such a woman; the

DISSECTION
OF
D R. T Y T L E R ' S
" SUBSTANCE. "

By JEREMY CARVER, M. D.

*Answer a fool according to his folly, lest he
be wise in his own conceit.*

Solomon.

PREFACE.

Be not alarmed, gentle reader! It is not my intention to dissect the *Corporeal Substance* of Dr. Tytler and thus prematurely deprive society of so bright an ornament, but the "Substance of a Discourse in vindication of the Divinity of our Lord," just published by him, and distinguished for that strength of *argument*, depth of *research*, and fertility of *invention*, which have ever characterized the productions of this extraordinary writer. With these views of its merits, it may be permitted me, without incurring the imputation of improper motives, to express my opinion that it is deficient in that clear and methodical arrangement which is necessary to render its excellencies accessible or even apparent to the majority of his readers; and the object therefore which I propose to myself in the subsequent pages, is to resolve it into its constituent parts or first principles, in order that the public may enjoy the full benefit of his investigations, and may perceive how much they are indebted at once to the glowing eloquence of his tongue, and to the masterly efforts of his pen.

Such an attempt, it is hoped, will be acceptable to all parties—to the Doctor himself—to

PREFACE

his professed adherents—and to the Unitarians against whom his labours are directed. That it will please the Doctor himself is argued from the consideration that it will flatter his known vanity to have afforded a *text* which others make it their business to *comment* upon and *illustrate*. That it will please his professed adherents is supposed on the ground that they will here obtain the marrow and cream of his system without the tedium of protracted attention or the effort of continuous thought; without which it would otherwise be impossible even for *them*,—not to speak of others more renowned for obtuseness of intellect—to extract a single idea from the Doctor's magniloquence. That it will please the Unitarians is certain because they are fully convinced—no matter upon what insufficient grounds—that the more pertinaciously Trinitarianism, and especially *such* Trinitarianism is pressed upon the public attention, the more irresistible will be the rebound of the good sense and rational religion of the present age.

JEFFREY CARVER.

Calcutta, June 6, 1823.

DISSECTION
OF
DR. TYTLER'S
“Substance.”

~~effem.~~

Credo, *qua* impossible est.

Tertullian.

The first part of Dr. Tytler's “Substance” which presents itself for Dissection is the Preface, and as it contains some highly interesting matter, it would be altogether unpardonable to pass it by without adequate notice.

1. The Doctor, with a view, no doubt, to conciliate the prejudices of his hearers and readers, has acquired by long study and industry a wonderful facility in the employment of the ordinary expressions of *courtesy* and *politeness*. Of this various proofs might be adduced. For instance like all other great orators and authors, he uses a phrase of this

soothing tendency at the very commencement of his book. He informs us that "in the course of the year 1822, some letters of a very blasphemous tendency" "were printed in the columns of the Calcutta Journal." Shortly after he speaks of the "Infidel Tenets" and "heretical doctrines" of Unitarians. And at page 12 in a beautiful climax, and in the most pathetic language, he warns his readers against "the spirit which has successively shewn itself in the heresy of Arius, the blasphemy of Mahomet, and the infidel tenets of Socinus and the modern Unitarians." It must be admitted indeed that these inellow strains occur much less frequently in the printed "Substance" than in the preached "Discourse," but let not this be understood to the Doctor's disadvantage. He was honourably apprehensive that the mild and conciliatory language which he adopted at the public meetings and which is most congenial to the uniform tenour of his gentle spirit, would, if presented *tot quo^t* to the public in print, be construed into mean and cringing sycophancy, which his manly and ~~enerous~~ soul, as much disdains as it does the low and obscene wit of Billingsgate.

2. The Doctor informs us that the letters written in the Calcutta Journal by the Unit-

rians "impugned the Divinity of our Lord and Saviour Jesus Christ." By this mode of expression, used without any qualification or exception, I understand that the Unitarians in every sense and in every respect deny the Divinity of Jesus Christ; and this I think a piece of information so important as to deserve to be separately noticed. With the rest of the public and even with the Unitarians themselves, I had ignorantly imagined that they only impugned the Divinity of his *person* while they sincerely believed, according to a learned writer of that denomination, in the "Divinity of his *Gospel*, of his *authority*, of his *character*, of his *miracles*, and of his present and future exalted *offices*." But of course the Doctor possessing superior means of information knows much better than this writer, or any of the Unitarians, what they affirm and what they deny, what they believe and what they disbelieve; and therefore on his authority, they must henceforth consider themselves, and all the world must consider them, as impugning that which they ~~have~~ hitherto believed to be supported by the strongest evidence.

3. On ~~the~~ same authority we learn that Rammohun Roy, although challenged by Dr. Tytler was guilty of the most "preposterous

conduct," and that he really "shrank from the contest" with him, except on the condition of its being carried on through the medium of a **Missionary**. The Doctor as a professed teacher of Christianity is by far too lenient in his treatment of this apostate from Hindoo idolatry. He did not merely *shrink* from a contest with the Doctor—he *ran*, he *scampered* with the utmost trepidation, fearing even to look behind; and if the Doctor could only for a moment have caught his eye, a single glance would have been quite sufficient to annihilate his antagonist. The *fact* of this disgraceful flight is certain—the *cause* of it is still left in considerable doubt. If I might be permitted to hazard a conjecture it would be this. Rammohun Roy it is well known is a native of this country and consequently less acquainted with the English language than Dr. Tytler to whom it has been familiar from his infancy. Now the Doctor like all other learned men is in the habit of using common words in a very uncommon sense, and Rammohun Roy like all other foreigners knows only the commonest words of the language, and those in their most usual meaning. When therefore Dr. Tytler in his public letters and in his private communication called his opponents *blasphemers, heretics, apostates, infidels, Mohummudans, Saracens, &c. &c.*

Rammohun Roy, instead of considering these as terms of endearment, agreeably to the polite and learned dialect of our language, and intended by the Doctor to remove all asperities of temper from the controversy in which he proposed to engage, either having never heard, or having forgotten that there was such a dialect, interpreted them in their very lowest and most vulgar sense as terms of reproach, and consequently was really although most unnecessarily, as every one must perceive, frightened at such a tremendous canonading directed against him even before he had time either to accept or decline the challenge that was offered to him. That a fright produced in some such way as this was the real cause of Rammohun Roy's apparently disgraceful flight appears to me extremely probable, but I am by no means prepared to affirm it with certainty.

The Doctor next states that although Rammohun Roy remained in the back ground, "a number of his *European retainers* came forward." Dr. Tyder, as we have already noticed, displayed the most Christian command of temper and of language both before the controversy commenced and during its continuance, and now after the victory is gain-

ed, and its "trophies" have been exhibited in the public papers, he disdains to trample on a fallen enemy, or to impeach the good intentions or upright motives of those whom he has so signally discomfited in argument. The Unitarians, poor unfortunate wights! also boast a victory, notwithstanding all that the Doctor says to the contrary, and even maintain, contrary to whatever every body knows and in ignorance or forgetfulness of that dialect of our language which the Doctor constantly employs, that in the use of such terms his only object is to bring those into hatred and contempt whom he has been disappointed in bringing within the pale of his own orthodoxy. I have learned that under this false impression one of the persons who supposed himself aggrieved by the language above quoted, demanded an explanation from the Doctor, and upon receiving a reply containing only an aggravation of the presumed offence, he intimated to the Doctor that unless he recanted, certain epithets would be applied to him, descriptive of those who have a peculiar regard to truth and to the reputation of their neighbours. The Doctor justly indignant at ~~any~~ attempt to curtail the liberty of speaking ~~so~~, writing, swore, before a magistrate that this person's peremptory contra dictious of

his assertions had put him in bodily fear, and consequently got him bound over to keep the peace. To superficial observers this may appear inconsistent with the hue and cry which he raised against the Unitarians for having as he assured the public (but which they denied) threatened him with ~~exposure~~ ^{prosecution} on account of his ~~magnanimous~~ exposure of their blasphemies. But to those who look below the surface there is no inconsistency at all. The Doctor is an orthodox believer and therefore has an unquestioned right to put his opponents under legal restraint—they are “damnable heretics” and have no claim upon the law for the protection either of their persons, property, or reputation.

5. Finally, we are informed, on the same excellent authority, that the public have honored his Lectures with their "most gratifying applause." In offering my corroborating testimony to this fact I am very far from wishing to intimate that without such corroboration the Doctor's statement would be the less deserving of credit. Very far from it. Although he was personally engaged in the controversy he has been throughout distinguished for that equanimity and freedom from party bias which dictate the most unhesitating approval of the Doctor.

whatever he says respecting either his own merits or the demerits of his opponents, his own success or their defeat. Notwithstanding, however the sufficiency of his independent evidence, were it merely to afford pleasure to myself, I am happy in being able to confirm all that he has said. The Doctor did indeed receive the most thundering and consequently "most gratifying applause" from his audience, although that applause was not the object at which he aimed. Indeed the insinuation that he forgot the difference between a Theatrical performance and a Theological lecture, and sought those plaudits at the one which he in vain laboured to earn at the other is altogether without foundation. Were not the Doctor as amply distinguished for the low estimate which he has formed of himself, as he is nobly distinguished for the heights to which he soars in his speculations, he well might be proud of the applause which he received especially considering the character and age of those who bestowed it. Venerable patriarch whose hoary hairs had almost numbered the days of Ssteen or sixteen twelve-months were to be seen giving their feeble but welcome responses to the boisterous shout. If some active ^llings, as zealous as they were young, who ^{had} scarcely reached their fiftieth or sixtieth ^{per} class being possessed

of that extent of reading, depth of erudition, and maturity of judgement which must have peculiarly qualified them to decide on the Doctor's talents and acquirements—and the latter of that energy of the intellectual powers, and that freedom from early prejudices, which must stamp the greatest value upon the sentence of approval which they so loudly pronounced on his Lectures.

Having thus disposed of the Doctor's Preface, I now proceed to consider the Discourse itself; and here it may be remarked that the field before me is not so extensive as might at first view be supposed. For such is the Doctor's diffidence in his own intangible interpretations, such his confidence in the direct and explicit testimony of scripture to the great doctrine of a "Trinity in Unity" that he has occupied by far the greater part of his pamphlet with ample quotations from the scriptures which, although they do not happen to contain the remotest allusion to the subject, are yet of eminent service to the cause which he knows so well to support.

1. In the following Table I shall point out the proportion between the number of lines on each page which the Public owe to the Doctor, in the way of *Original Composition*; and they

number of *lines* in each page which the Doctor owes to the inspired penmen in the way of *Scriptural Quotation*: only premising that in most of those lines in which only one or two words belonging to the Doctor occur, the entire lines have been ascribed to him, in consequence of which the quantity of Scriptural Quotation, and of course the Doctor's merit, is much greater than in reality appears.

Page	Orig. Com.	Scrip. Quot.
1	4 Lines.	18 Lines.
2	21	25
3	10	36
4	11	35
5	23	22
6	18	28
7	25	21
8	29	13
9	22	23
10	19	27
11	8	38
12	15	31
13	10	36
14	3	48
15	11	35
16	14	32
17	12	34
18	15	4

2. If, by means of the preceding *data*, we average the number of *pages* we shall find that of the eighteen which make up the pamphlet upwards of six are the production of the Doctor's active pen, and the remaining number belongs to the sacred writers. Who after this, will say that he is deficient in reverence for the scriptures, or that it is his object either to bring them into contempt by the absurdity of his interpretations, or to supersede them by the reveries of his own imagination?

3. Combining the preceding enumeration of *lines* and *pages* with the fact that the Doctor himself has fixed the *price* of his discourse to subscribers at one Sicca Rupee, we come to the conclusion that the value he placed upon his own proportion is somewhat less than *six annas*, thus affording a rare example of humility in the most difficult and trying of all characters, that of an author. The profound investigations of his mighty mind, with the results of which he has favoured the public in this pamphlet, he himself rates at no higher a price than *SIX ANNAS* ! ! !

4. Respecting the use to which the Doc. has applied these copious quotations from scripture, it may be remarked that they do

merely fill up the page, but are highly necessary to the illustration of his ideas and to the establishment of the positions which he lays down. For instance how could he prove that the Unitarians under the Christian dispensation resemble Korah, Dathan, and Abiram under the Mosaic law except by giving (pages 2 and 3) a full account of the crime and punishment of the latter from the book of Numbers? How could he prove that Christ is the *stone* which the Unitarian builders have rejected, without quoting (pages 15 and 16) the record of David's victory over the Philistine "with a sling and with a *stone*?" These are only two instances out of many which might be produced and which abundantly show how little dependence is to be placed upon the sly insinuations and hardy assertions of the Unitarians. They, like obstinate heretics as they are, contend that not *one* of the passages which the Doctor has quoted says a word about a Trinity of persons in the Unity of the Godhead, or about the "Eternal *Trine* God"; and that not *one* of them says that Jesus Christ had two natures, or that he was a God-man, "the *Eternal Logos*," "the Divine *Eternal logos*," or "the *Almighty Word of God*." Nay with a degree of presumption which can scarcely be equalled, they even go so far as to say that he might

as well have quoted entire Oopunishyds of the Ved, or unbroken Soorahs of the Koran, in order to prove the doctrine of the Trinity or the Deity of Christ. But all this evidently proceeds from men whose minds are steeled against that conviction which the Doctor's arguments are so well calculated to produce.

5. The great burden of the Discourse is to prove, what the Unitarians to be sure have never doubted, but of which it is therefore the more necessary to convince them, that Christ is "the *door*" i. e. the medium of Divine communications to mankind. To effect this he shows in a long quotation (p. 1) that the blood of the paschal lamb was sprinkled "on the two side posts and on the upper *door-post* of the houses" of the Israelites—that John (v. 2) in the Apocalypse saw "a *door* opened in heaven"—that Jacob (p. 4) called that place "the *gate* of heaven" where he had a vision of angels ascending and descending by a ladder—that the Hebrew letter *Heth* (p. 5) resembles a *door*—that an angel of the Lord (p. 8) rolled back the stone from the *door* of Christ's tomb—and that Christ is represented in the Apocalypse as saying (p. 9) "Behold I stand at the *door* and knock." If the Doctor's opponents had ever doubted Christ's Divine mission, surely

These are proofs which it would have been impossible for them to resist!

¶

6. The Doctor does not stop here. He not only in this convincing manner proves that Christ is the *door*, but also, that he is *Jehovah*. His *first* proof of this (p. 4) is that “ ‘the word of the Lord (Dubur Jehovah) came unto Abram, (*Heh al Abram*, was present or visible to Abram) ‘ and he (Dubur Jehovah, the Word or Logos Jehovah) said unto him I am the Jehovah that brought thee out of Ur of the Chaldees.’ ” The daring Unitarian critics, it is true, object that in the words *Heh al Abram* there is nothing which signifies *present or visible*, and maintain that the true signification of the expression *the word of the Lord was (or, came) to Abram* is simply this that Abram received a Divine communication. Simple blockheads! Incapable of taking the lofty flights to which the Doctor’s opinions alone are sufficient, they would obligate him to grovel with themselves on the base earth! They would restrain, if they could, his soaring imagination by their own shallow objections and explanations! The same remark may be made respecting his *second* proof (p. 5) which is drawn from these words *Theos en Logos*, thus translated by him “ God was the Word! ” Here there is not merely, as in

the former proof, an improvement upon a translation, but even the *discovery* of a rule in Greek construction hitherto unnoticed by all past Grammarians. Schleiermacher and his scholars (see the late Bishop Middleton's *Doctrine of the Greek Article*) had hitherto supposed that the subject of a simple prepositional clause denoted by having the article prefixed to it, and had consequently the above sentence only so construed and translated *The Word was God*. But a brighter day has now dawned—viz. upon Greek literature and Hebrew lore—viz. Dr. Tytler applied his mind to the investigation of these languages. Whether under "the according to the new or the old lie", it is an overwhelming evidence against the Unitarian heresy. The abettors of that heresy, indeed, fertile in expedients to evade the clearest of the strongest arguments, among numerous other considerations, such as that angels and prophets are in Scripture called Gods, suggest that the verb found here is in the *past* time—that the words of the verse are not applicable to the Ever Living God who never *was* what he is not—and that therefore *God* must be understood of some character, office, or event *past* at the time the apostle wrote; but all this, the Doctor saw, is a mere subterfuge and consequently unworthy of the slightest

notice. His *third* proof (p. 6, 7) is that "the man who wrestled with Jacob" and who is called God was neither "the first person of the Eternal Trinity Godhead" nor "the Ruh Elohim or Holy Spirit" and *therefore* he must have been Jesus Christ. This is so irresistibly convincing that by attempting to illustrate I should only obscure it. His *fourth* proof (p. 8) is of the same character. Having already proved that Christ is "the *door*" because the Hebrew letter *Hheth* is in the shape of a *door*, he here shows that one of the posts "was broken by the trespass of Adam" and consequently that "the *door*" assumed the form of the Hebrew character *He*. But, he goes on to argue, this letter occurs twice in the word Jehovah and *therefore* Jesus Christ is Jehovah. Can any thing be plainer or more decisive? His *fifth* proof, and the last which I shall notice, is this. The blood of the paschal Lamb "is directed to be dashed upon the lintel and two side-posts of the *door*, in *drops*, or *yods*, or *jots*." But a drop, or yod, or jot prefixed to the *broken door* or letter *He* makes the word *Jan* which is a name equivalent to *Jehovah*. When Jesus Christ therefore says "I am the *door*" he "not only refers to the paschal *door*" "but in the most express and explicit manner, even more than mere words

can convey, declares his *Divinity*." This indeed is one of the Doctor's great excellencies that he always seeks and finds a meaning "even more than mere words can convey."

7. The Doctor goes still further. It has been most wickedly maintained that his flaming zeal for Trinitarianism has arisen only from the circumstance that it is the religion of the greatest number. But this is most completely disproved by the fact that he has placed himself, at as great a distance from the standards of Established and Evangelical Orthodoxy as from those of Unitarianism. With Unitarians he believes that "the man Christ Jesus" is the "one mediator between God and men;" and differs from them in believing that this same Jesus is himself God. With Trinitarians he believes that Jesus Christ is God; and differs from them in believing that the *Divine* as well as *human* nature of Jesus expired upon the cross. He speaks (p. 2) of "the crucifixion of the *LORD*," (by which word thus printed every one must understand *Jehovah*) and that "He expired upon the cross"; and to place the matter beyond a doubt he says (page 5) that "the *Eternal Logos*" "shed his sacred blood upon the cross for our sinful sakes." To a person of ordinary mind the *death* of an *Eternal Being*

might suggest some doubts, and occasion some difficulties." He might find it embarrassing to explain how, when the Upholder of Universal Being ceased to live, all nature still *continued* to subsist. But the Doctor has a *mind* to which *doubt* is a stranger, and by which difficulties are unfelt. He can survey the almost infinite series of created and happy existences, and with that serenity of mind which on such subjects, only *such* minds feel, he pronounces the sentence of their eternal amanuensis, exclaiming *Fiat TRINITAS, rust calum!!*

8. I have already had occasion to refer to the Doctor's extraordinary humility, and, if any proof of it were wanting, the one I am about to adduce would be quite sufficient to show the proficiency to which he has attained in this Christian virtue. By his habits of strict watchfulness against every emotion of pride that arises in his mind, he has at last brought himself to the humiliating conviction that he himself is *not superior* to Jesus Christ; that his own arguments are not worthy of *more* regard than the ~~miracles~~ of Christ; and that the spirit of those who question or confute the former is *not worse* than that of those who resisted the evidence of the latter. To those who may hesitate to admit his claims to this

high degree of sanctity, I beg to present his own words. After a series of long quotations from scripture to explain the nature of the Cabala of the Jews to which the perverse Unitarians, it appears, had compared his arguments, he thus proceeds to p. 14. "Those, therefore, who declare a powerful argument which demonstrates the Divinity of Our Lord, and testifies the doctrine of the kingdom of God, to proceed from the *Cabala*, or diabolical delusions of Satan, manifest openly the same spirit which was exhibited by 'the Scribes which came down from Jerusalem and said, He hath Bee'zebub, and by the prince of the devils casteth he out devils.' &c. &c." I leave my reader to judge whether this quotation does not justify all I have founded upon it.

9. I had marked many other invaluable morsels for critical dissection which I find my limits will not permit me to notice. I particularly regret this with respect to numerous examples which I had collected of close reasoning in which the Doctor is a most unparalleled adept. I must, however now content myself with requesting the readers of his Discourse to pay especial attention to the force and value of the words *for*, *because*, *wherefore*, *therefore*, wherever they are to be met.

with; and, the labour bestowed will afford a full return of pleasure and improvement.

10. My readers will have observed that I have hitherto met with nothing which has not received, and justly, the expression of my warmest approbation. To prevent the Doctor from supposing that I am a servile admirer of his talents, I must in conclusion notice one thing in which my opinion differs very materially from his. He speaks (p. 10) of the Cabala, and indeed of the "*mystical system of interpretation*" in general, as "*a magical delusion proceeding from the Devil*." This I cannot but lament. Is not "*the mystical system of interpretation*" as necessary to support the doctrines of Trinitarian Divines as of Jewish Rabbis? And does not the Doctor, with a degree of inconsistency which I confess I did not expect from him, adopt the very cant of Unitarians, when he reprobates and deprecates mystery and mysticism? Let the Doctor reflect seriously on this subject. I cannot for a moment permit myself to suppose that he has any secret leaning to Unitarianism. I earnestly pray that it may never have such a Champion.

JEREMY CARVER.

Calcutta, June 6, 1823.

THE
L I F E
AND
MILITARY CAMPAIGNS
OF
General Buonoparte;
WITH
OBSERVATIONS ON THE RAPIDITY OF HIS
CONQUESTS,—HIS CHARACTER,
AND
THE REAL INTENTIONS
OF HIS
EGYPTIAN EXPEDITION.

—
CALCUTTA:

From the Press of FERRIS and GREENWAY.

DEDICATION.

TO

GEORGE MOORE, Esq. MADRAS.

SIR,

THE sour acridity of hatred, nor the envious gangrene of illiberal jealousy, dwells not in the anatomy of English minds; and a gentleman of your known candour, would never scrutinize the man, where the merit was prominent. The truly ingenuous forget the enemy where eminence appears, and give credit for social virtue, even to a foe. In the present instance, you will decide with your superior sagacity, whether genuine and deserved celebrity does exist; and as the public opinion upon this point, will be much influenced by your judgement, I have no doubt you will give it with the unnarrowsed gallantry of a British Soldier.

The man of widely-extended information and lengthened experience, does not bestow his admiration with the epibimerii of the moment, neither will he worship whom success smiles upon; for he is secretly aware how often—FORTUNE FAVOURS FOOLS, and cir-

DEDICATION.

cumspection accordingly guides his decision ; hence, when the Life of a Republican is laid before you, the sword of Loyalty, which superior discrimination has wisely armed you with, will be employed in stern justice, in annihilating, if deserved, the thread of its reputation, now that the oblation is at your feet.

There is a peculiar propriety in submitting the investigation of the sacred military character to the decision of a true Soldier, or to one whose sword, like yours, is ever forward in the service of his country ; and if the public will not allow that I have succeeded in any other particular relative to this Mémoir, in seeing so reputable a name as yours prefixed to the Dedication, they will at least admire the respect with which I have the honor to be, believe me,

SIR,

*Your obsequious, Obeisant,
And attached Advocate,*

THE EDITOR.

R E F A C E.

IN every matter submitted to public perusal, the attainment of some object, should at least justify the liberty taken in universal intrusion; at present, more than one circumstance has induced the Editor to be thus emboldened, and the openness with which he will proceed to state them, will, he hopes, at least be a means of procuring him the applause of the candid, should he not have succeeded in his design of amusing them.

When the harvest of human life is marked by the produce of such a character as Buonaparte, whose eccentricities would in any period be a stimulus for the investigation of general curiosity, he who would undertake to gratify the public in such a case, might, in every view of the business, suppose his attempt entitled to perusal. Circumstances will sometimes enable one man to be more correct in narrative or memoir than another, and the Editor, in the present instance, trusts to his claims to authenticity will remain indupitable.

PREFACE.

Another incident has impelled him to interfere in the present work,—the better to dispel any misconceived supposition of incredible ability existing in the Republican General, who, with all his new revolutionary aids of *contributions, democratizing countries, requisitions, and fraternizing enthusiasm*, has not even equalled either Clive or Marlborough. To undeceive the public opinion is a duty, and to elucidate and dispel error, is a service, the credit for which he offers himself a candidate.

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T H E L I F E

B U O N O P A R T E.

CHAP. I.

The Juvenile Years of Buonoparte.—Traits of Character.—Studious Disposition.—Enters into the Army.—Behaviour in the Regiment.—Service in La Vendee.

PERHAPS to a liberal mind, a more irksome task cannot occur, than the exercise of the biographic pen; since the probity which is ever necessary in the representation of truth, comes often into contact with those doubts which candour will suggest, where character is at issue, and where posterity are to behold in the portrait either the model of emulation, or the object of horror. Notwithstanding, without vaunting much our disinterestedness, or imitating in that respect our Gallic neighbours, we shall endeavor to

display our propensity to fair report, even of our enemies, for where chance brings talent into practice, it is customary with mankind to notice it.

THE father of the subject of our present Memoir, had formerly held the post of Major, in the French service; but from increase of family, in an agreeable neighbourhood, and it is supposed, a wish to provide better for it, he declined the immortal honor of serving his sovereign, for the more prudent one of serving himself; and the people of his neighbourhood were even dubious whether he was not more expert in the exercise of his mattock on his farm, than in that of his sword over his enemies; be that as it will, it is certain he had ingenuity enough to convert his dagger to a ploughshare, many years since; for despairing of embellishing his brow with the laurels of Cato the Younger, it was out of the power of malvolence to aver that he did not deserve civic honors, for his near resemblance to Cincinnatus, in tilling the earth.

ALTHOUGH those who recollect the birth of young Buonoparte, do not affirm that his mamma had

had dreamed of a Dragon the preceding night, yet certain croaking hags are audacious enough to declare, that the kind hearted lady well remembered a *very close* interview she had with the Marquis de MORBAUT, Governor of Corsica, about 9 months before: we shall not so much as question whether the sacred rites of Hymen were violated, but it is said that at the intercession of the youthful God, Minerva and Mars contrived to make up in their endowments, those ritual ceremonies which were *accidentally* deficient in the qualifications of his parents; and the departmental register of Ajaccio, in the Island of Corsica, announced to the world, with paeanitic shew, the birth of Neapline Pascal Buonoparte, in the year 1767, the period in which, by the machinations of his Godfather, General Paoli, that island became attached to the kingdoms of France and Navarre.

THE archives of Ajaccio exhibit no absolute record, that Buonoparte's years of adolescence were distinguished by such extraordinary traits of character, as attempting to strangle a serpent which had dared to peep into his cradle, nor of swallowing a bear; yet many reverential ma-

trons affirm, that the Marquis de MORBAUT, *en passant*, made just a family visit to the father of our champion, some years after ; and as the smallest testimony of gratitude for the kind treatment he had formerly received from his hospitable friend, requested leave to have the honor of patronizing *his* son ; which after a very solemn hesitation of Madame Buonoparte, was granted ; and in the year 1777, the Marquis by means of his influence at court, procured Neapoline an admission for education, into the National Military Academy of Brienne, in Champaigne.

HERE it is said, that although nature neglected to confer upon him the form of Hercules, or the tendons of the bull, yet she had been lavish of her mental endowments of him, and that he early discovered an emulation to excel in whatever was taught to pupils of his duration ; and as the scholastic exercises were all *parfaitement en militaire*, it fell in rotation to young Buonoparte to command and give orders for certain mock encounters, according to rules prescribed in the school ; but these he found, or thought inferior to plans of attack and defence of his own invention, which at this time he was much assisted

in by a heavy fall of snow, that enabled him to raise temporary ramparts, redoubts and flanking pieces of fortification, which he defended with snow-balls ; and it is said much astonished those to whose care his instruction was committed. The Marquis happening at this time to visit the seminary, was present at the defence of one of those elementary erections ; on which occasion he expressed much surprize, presented the youth with Plutarch's Lives, and assured him at the same time of his further protection and friendship. Whether it be a testimony of gratitude to his friend, we know not, but certain it is, that he is known constantly at this day to carry the same Plutarch in one pocket, and a small edition of the Works of Vauban and Machiavel, in the other. The first books put into the hands of children, have not unfrequently the effect of turning the mind to a particular bias, which is only obliterated with life.

HISTORY, mathematics, and military exercises now engrossed his entire studies, and he was allowed as a relaxation, the cultivation of a small flower garden, whither he mostly spent his evenings, totally secluded from his giddy school-fellows,

fellows, by whom he was deemed an haughty ill-natured churl. Numerous were the methods they contrived to incommodate him, which he as pompously affected to treat with contempt; but having heard it was their intention to destroy his parierre, he actually purchased powder, and having dug a rude sort of mine around it, conveyed it therein, and resolutely determined to take an unfair advantage of his school-fellows, should they act unfair enough to unite against him;—the moment arrived—young *Guy Faux* lay in ambush with a lighted match, when lo!—at that instant, the adjacent house accidentally caught fire, and the inhabitants jumped out of a window among his flowers;—he sprung the mine, and although no lives were lost, yet three were desperately wounded; his fury did not stop here, for in the moment of his phrenzy, he dealt out blows to all who came to enquire concerning the explosion, still supposing the rear of his enemies were to come up; however, being over-powered, and an ecclaireissement having taken place, he was thought too dangerous a *non-descript* to remain any longer a pupil at Brienne; he was dismissed, and his friend the Marquis, faithful to his promise, procured him in 1783, a Lieutenancy in the regiment of *La Fere*.

STILL attached to his Plutarch, and shunning society, the officers of his regiment concluded him an abstracted kind of misanthrope, and they in return met equally his hatred, which he did not hesitate to disclose : they at length, accused him of disrespectful and unsoldier-like behaviour, which he defended by observing, that he “ regretted his manners were disagreeable to them, but that such was ever the case where a virtuous Republican was obliged to live amongst polluted Royalists ;”—the issue was short, for they instantly threw Messrs. Buonoparte, Vauban, Machiavell and Plutarch into an adjacent river ;—but our hero, with genuine *sang froid*, extricated his small detachment from the river, by swimming to the opposite side ; where he pulled out his companions, squeezed the water from them, and afterwards from his own clothes. He now saw it was impossible to combat all the officers and retain his situation in the regiment ;—and they on reflection concluding they had acted ungenerously, apologized to Buonoparte, whose conduct was ever after marked by an habitual silence, and an increased acridity towards mankind.

The general peace of 1783, was in some degree favourable to his secluded manner of life, and he now pursued the study of the higher branches of military science with avidity, and he at length saw himself solely confined to live upon his daily pay, as his patron the Marquis had discharged the debt of nature, and his father's family had already increased to six children, totally unprovided for. After the demolition of the Bastile in 1789, he bore a considerable share in the turmoils which agitated Corsica, but was shortly after ordered to join his regiment then lying in Auxonne, a small fortified town in the *ci-devant* Duchy of Burgundy, from whence he was dispatched to assist in the war of La Vendee, in crushing the embers of the royalty, which in those parts were by no means extinguished. Whether it was, that he acted under the immediate orders of a superior officer, and consequently had no opportunity for the display of his talents, we know not, but certain it is, that nothing brilliant marked this period of his career.

NUMEROUS were the reports that Buonoparte had applied to Sir Gilbert Elliot, when Governor

nor of Corsica, for a commission in the British service, and that his offer had been treated with disdain. The impossibility of this circumstance will appear, when it is now known, that he held a commission in the French service before and whilst Sir Gibert was in Corsica. Whatever might have given rise to this report, we have otherwise undoubted authority to state, no such application ever took place.

CHAP. II.

Arrives at Toulon.—Submits a secret Plan of its Siege to Barras, &c.—Intimacy with Madame Beauhenois.—Success of his Operations.—Is declared Commander of Artillery.—Disappointments in Paris.—Makes the Tour of Italy.—Assists at the overthrow of Robespierre.—Appointed to the Command in Chief of the Army of Italy.

ABOUT this time, all the Southern provinces of France evinced that loyalty and attachment for Louis, which Lancashire and other counties of England did for our Charles, and with equal success; for the insidious Robespierre presided over one, and the Usurper Cromwell over

the other. The city of Lyons made a resistance to the Republican arms, which history will certify with applause; but was at length, like other places, obliged to surrender to the dust-like myriads of her enemies. The massacre which took place at that affair, disgraces not mankind, but Frenchmen; for, to the immortal obloquy of the National Convention, a Decree was passed, whereby this once great and commercial city, celebrated for its twenty thousand looms of silk and other manufactures, was ordered to be razed to the ground, for the opinions of its inhabitants. Whatever appearance of the cannibal this Decree might have, it was faithfully executed.

Such a specimen of equal government, did not fail to stimulate the loyal inhabitants of Toulon, to solicit Lord Hood to take possession of their city, together with the inner and outer harbors, which his Lordship immediately acceded to. And now it was that troops, arms, artillery, and all kinds of warlike stores were transported to besiege Toulon, under the immediate eye of the Younger Robespierre and Barras, who were appointed Commissioners from the Convention, and directed by Messrs. Molignon, Dugomier, &c.

Among

Among other corps, that to which Buonoparte was attached, had arrived; but we are now to view him acting in another military department, he having been promoted to the rank of Captain, in the artillery, then besieging Toulon.

THE siege went on with alternate desultory success on both sides, when a Decree arrived from Paris, ordering (as was customary at this time), that Toulon should be in possession of the Republican arms, in a particular number of days, on pain of the guillotine to the commanders. This was a circumstance which obliged Barras and Robespierre, to resolve on hazarding all things for the desired end. A council of war was held, and M. Buonoparte, having previously laid a future plan of carrying on the attack against Toulon, before Barras, that Commissioner submitted the plan alluded to, as his own, and the Council with avidity adopted it. The military commanders then acting at the siege, did not hesitate proceeding upon the supposed method of Barras, as they had all seen no more service than what had occurred since the Revolution; whereas Barras had formerly held a commission in a French regiment, in the West Indies, and the powerful situ-

ation of Commissioner with the Army, gave a degree of authority to his purposed method of operation, which merit, unprotected, might for ages unsuccessfully seek.

IN a little time, the progress of success against Toulon was apparent; when one day, at the storming of a redoubt, against which Robespierre headed the attack, a soldier right'y *supposing* him an enemy to France, knocked him down with the butt end of his firelock; upon which that affrighted murderer told his name, in a tone loud enough to indicate he was not precisely actuated by joy; and on an explanation ensuing, Robespierre declared, if he could not plan like Barras, he could fight as well, which circumstance induced Barras to declare ingenuously in presence of all the officers, that they were then acting under the suggestions of Buonoparte, and not upon any arrangement of his invention. The circumstance had the effect on the spot of M. Buonoparte being declared Commander of the Artillery then besieging Toulon.

THE services of Buonoparte, were at this critical period of the utmost importance to France

France, and particularly so to his patron M. Barras, as the state of the contending parties in that kingdom were nearly *en équilibrio*, and the fall of Toulon was a desideratum of the first consequence ;—already had two of the Commissioners from the Convention who were the associates of Barras and Robespierre gone over to the Royalists ; the guillotine floated in the blood of Democracy, and nearly had the loyal tocsin of *ci-devant* Provence, founded the approaching knell of half-annihilated equality, when the talents of Buonoparte retrieved every thing. The brave General O'Hara was defeated and taken prisoner ; the various redoubts and approaches were assailed with success ; Fort Mulgrave again changed masters, and by the final evacuation of Toulon,—the monster Robespierre had an ample opportunity allowed him of exceeding the execrable Nero, which he did not neglect to employ.

DURING the Dictatorship of Robespierre and Marat, it became quite a customary matter for the man who was fortunate enough to possess a handsome wife, to be charged with incivism ; of this assertion various instances are on record in the

the annals of the Revolution, and Mons. Beauhernois was one amongst the many whose head was sacrificed at the shrine of lust, for the daring crime of worshipping beauty, whilst a drunken butcher, like M. Earras, was without a fair whose cheek would blush to find it pressed by such a slavering murderer's polluted lip.

INDEED, M. Beauhernois, was one of those sing-song fill-chamber things of the court of the late Louis, on whom the irradiating blaze of Genius never shewn, and oblivion with a frown even scorned to proclaim his origin,—yet he possessed the graces in an eminent degree, and enjoyed the reputation of an excellent dancer; to these he added the qualification of a well proportioned *leg*, which was a strong recommendation to the Queen, who is said to have *conceived* something more than a cold *penchant* by him, and certain it is that her Majesty graciously favoured him with a truncheon, as the military establishment acknowledged him a *General* in her service. M. Beauhernois already possessed a blushing bride, “whose very looks, would charm an anchorite to love:” and hence we are not surprised that he was obliged to suffer the ceremony of decapitation.

tion.' Barras offered her his *protection* at this moment, and hence it was that she deigned to smile upon that stalking semblance of assassination.

IN the course of his interviews with Barras, M. Buonoparte happened to see Madam Beauhenois, and whether that lady thought her situation was not the most agreeable and permanent with the sanguinary Barras, or that young Buonoparte had already captivated her imprisoned heart, or whether it was that Napoline thought a lady's services are often useful in such an intimacy as he wished to establish with Barras, we cannot decide, but it is an unquestionable fact, that Buonoparte accompanied the half-unhinged pair to Paris.

WITH the various other peculiarities of the serpent, Robespierre possessed its eye,—and the lady's smiles upon Buonoparte, the good opinion Barras had of his talents, and the aspiring ambition of our hero, did not escape his scouling discrimination. To Robespierre solely it was, that notwithstanding the influence of Barras, the smiles of his bird-wedded fair, and the abilities of

of this adopted child of fortune, Buonoparte could procure no employment whatever in the service of the Republic ;—disgusted at such ingratitude and disappointment he offered his services to the late Empress of Russia, who at this period was at war with the Persians, and to add to his chagrin, his application received no answer. Thus we find that where ambition must be gratified, public policy, principle, and the ties of nature, are, in the scale of comparison of little consideration ; Buonoparte would, with the same indifference make war against Persia, as he has done against his own countrymen at Toulon.

ALREADY had Robespierre proved the guillotine was the grave of federalism ; the Girondists had all been massacred, or in self exile—blood, murder, assassination and all the attendant dæmons of the system of terror, were harrowed up ; Brissot, Roland, and a thousand others of the moderate party were either politically dead or not existing, and scarcely were the hardiest of the Jacobins themselves safe. The combination of these circumstances induced Buonoparte to make the tour of Italy, as the safest mode of escaping the fate which awaited a further delay in

in Paris, as Robespierre had long since recognized in him an implacable enemy.

IF an antiquarian or a naturalist, if a poet or a painter travel, we have no doubt each in his sphere makes his peculiar remarks,—and are we to suppose Buonoparte did otherwise? unquestionably not. Perhaps, he might have been seen one day meditating on the banks of the Rubicon, which Cæsar had crossed, when his confidence made him despise his enemies in Rome. At another time reading the *contour* in the bust of Junius Brutus, or tracing the inscription on the tomb of Cicero. Probably some wonder-staring crowd of superstitious rustics, might have beheld him with his mathematical apparatus, measuring the heights and distances which commanded their villages. And old Ætna himself might have vomited red ruin, to forewarn the residents of his dusky sides, that the desolater of their fields was then at hand. To reconnoitre the dominions of probable enemies, constitutes part of the German, and we believe part of the French military education, in times of peace and if it can be done without danger, in time of war.

AFTER making the necessary remarks in the dominions of Sardinia, Rome, Lombardy, Venice

and the Tyrolese he returned to Paris, in June 1795, very opportune for Tallien, Barras, Mercier and others of the moderate party, whom the tyrannies of Robespierre had exasperated to a degree heated enough to venture their lives to effect his overthrow.

DECRESSES of sequestration, dilapidation and alienation now passed without number,—nay so far was Robespierre permitted to carry his machinations, that with the assistance of Henriot who commanded the Parisian Guards, he hoped to seat himself upon the throne of the House of Bourbon. But his enemies were vigilant as himself was, daring, and on the 13th Vendemiaire, the moderate party again triumphed—the sections of Paris were vanquished, Robespierre suffered by the sword, and his head was severed by the guillotine. Henriot fled, and Barras once more “basking in the smile of fortune’s sun,” was declared his successor.

BARRAS, headed in person the popular party against Robespierre, and at this momentous crisis the service which Buonoparte rendered to him was incalculable, particularly, as he was not qualified

qualified to boast at the Tribune, with Tallien and others the services he had rendered, since he was ineligible, in consequence of having no voice in the Convention ;—this Buonoparte was aware of, and accordingly ascribed the effects of his own prowess to his benefactor. The issue was, that Barras, when elected Director, appointed Buonoparte to Command Madame Beauharnois and the Army of Italy ; for the power he now possessed was a passport to all the beauty of the French metropolis, and the woman whose charms lately bestowed ecstacies upon him, could now offer nothing but satiety.

CHAP. III.

Commences with the Campaign of 1796.—Progress thereof.—Campaign of 1797.—The fall of Italy: its consequence.—Buonoparte arrives in Paris.—Civic Honors conferred.—Army of England, &c.c.

THE evacuation of Toulon, afforded the French an opportunity of turning the power of the forces collected in that quarter, against his Sardinian Majesty ; and accordingly Nice was

invested by a Republican army, whilst a naval force menaced it by sea; as it also did the republic of Genoa. Montesquieu, commanded the troops, and in a great measure to his dispositions, M. Buonoparte owes much of his reputation; the former General, having conquered the strong fortresses of Chamberry, Monstier, and all the passes of the Alps into Piedmont; thereby securing to France, an immediate key to the gates of Turin. The successes of Montesquieu, were too numerous, not to excite enemies; and in a short time, his name added another to the proscribed list of Generals, whose services are a reproach on the gratitude of his country; and an example of the consequences attendant on unprincipled connections. The Minister of Finance having charged him with the embezzlement of the contents of the military chest, whilst Montesquieu, knowing it contained perhaps little else than a bottom, and having a judicious idea of the proverbial candour of Robespierre, trusted more to his own heels, than his countrymen's probity, and resigned a command with speed, which he could not retain with credit.

MERELY

MERELY holding the passes alluded to, without a General, and without supplies of any description, was the situation in which Buonaparte found the Army of Italy, in the beginning of the campaign of 1796, without discipline, and reduced to 24,000 efficient men, these he drew out, reviewed, and having harangued his soldiers, dispatched 7000 to the walls of Genoa, to give weight to a negotiation set on foot, to obtain shoes, shirts, and an enormous loan, guaranteed by Gallic faith. In this instance, threats and force exacted, what national pride would have spurned; and the specious contribution raised by France upon the Republic of Genoa, is a mere ordinary instance of the honorable remembrance in which Frenchmen hold their friends in all nations; as Genoa was the only power in Europe which maintained its neutrality, and persisted in that conduct, although threatened with a bombardment for not acceding to the confederacy against those regicides.

ACCUSTOMED to the inactivity of almost an entire campaign, and not aware of the progress with which Buonaparte was proceeding in the organization of his army, General Beaulieu, who commanded

commanded the troops of the Emperor and his Sardinian Majesty, suffered his outposts to be surprised; and the strong entrenched camp of Aosta, in the plains of Piedmont, was the first signal action of the campaign of 1796.

ACQUAINTED by his emissaries with the situation of the enemy, Buonoparte ordered his army to remain under arms the night preceding the affair of Aosta, and having rightly judged the security and little circumspection observed in the Sardinian army, after a period of so much torpidity—he ordered his advanced guard to attack the enemy with the bayonet, and to observe at the same time a deadly silence. Favoured by night, unexpectedness, and the little resistance which confusion would allow the Sardinians to make, the contest was successful; and two battalions had already possessed themselves of the port-cul-lice, port-way, and an adjacent bastion, and turned the artillery upon its late soldiery,—but not before the cries of the wounded had alarmed the main body of the army, who only awoke to be chagrined at their dreadful situation.

ESTIMATING the value of his victory, Buonoparte, the next day, at noon, vigorously attacked

tacked the Castle of Aosta, with equal success, and having thereby secured to his troops much refreshment, and a formidable garrison on the Doria, he proceeded with his wonted alacrity, to levy contributions and supplies, on the Piedmontese.

GENERAL Beaulieu, from the Rhine, was ordered to take the Command in Chief of the united forces of their Imperial and Sardinian Majesties; and General PROVEYRA, to act under him:—both immediately proceeded to collect the scattered fugitives; and appearances of French dispositions having indicated a direct attack on the Italian dominions of his Imperial Majesty, every precaution was necessarily taken, to avert such designs.

At length General Beaulieu, with a chosen body of 15,000 troops of both nations, advanced upon the French posts at Montenotte, and bore down all before him, till he came to a redoubt at Monte Lezino, defended by 1500 men: here he was held in check, and finding his efforts during the remainder of the day ineffectual, he passed the night under this devoted redoubt, with a determination

determination of making it his morning conquest. For a number of years past the system of war seems to have been reduced to down-right fighting; each General bringing up his choicest troops, and his most weighty columns against the weakest part of the enemy's line: but the French General Buonoparte took his measures, upon this occasion, in a way not unworthy of Italian craft, or of the stratagems of ancient times. He left Monte Lezino apparently as poorly defended as before, posting the right of his army in the rear, to support it in case of need, and marched, in deep silence and the dead of night, with the two other divisions, till he had completely circumvented the Austrians. In the morning the fight began, and was maintained with fluctuating fortune, till General Maffena, with the left wing of the French came pouring like a thunder-storm upon Beaulieu's rear, and spread surprize, slaughter, and ruin, and dismay, through his ranks. The rout was complete. The Austro-Sardinians lost between 4 and 5000 men, one half of whom were made prisoners. In a still more bloody battle, fought a few days after upon the same ground, their loss in men was stated at double that number,

number, with an immense amount of guns, magazines, and ammunition.

THE head-quarters of the French were now removed to Carcare, and by a *secret* movement, the city of Cairo fell into their hands, under Laharpe. The Generals Maffena and Angereau, forced the passes of Millesimo, on the 21st of April, and according to the statements transmitted by Buonoparte to the Directory, the Austro-Sardinian army lost between 2 and 3000 men, and had little less than 9000 prisoners taken, with 21 stands of colours, belonging to his Sardinian Majesty's body-guard ; General Proveyra surrendered, after a most gallant resistance, with 1500 grenadiers.

GENERAL BEAULIEU, who often proved in the Netherlands, that though his troops might be beaten, his spirit was not to be subdued, exhibited equal vigour of mind in the midst of these terrible events. The very day after his defeat, he collected 7000 men, and at the break of day surprized the right of the enemy, and drove them out of Dego ; but the French columns having been successively rallied by their chiefs, the fortune of the day turned, and the loss of near a third

of his small force, was the only advantage that the brave Austrian General derived from this desperate attempt.

THE next day the conquering army attacked and carried the redoubts that defended the entrenched camp before Ceva, which was evacuated in consequence, during the following night.

THE Piedmontese army, after being driven from Ceva, took a position at the confluence of the Cursaglio and Tanaro; but even this situation, rendered formidable by the depth of the rivers, and the batteries on their banks, did not allay what the Italians emphatically call the *Furia Francese*. The Republicans forced the passage of the Tanaro, obliged General Colli to desert his position in the night, with the loss of his heavy artillery, brought him to action near Mendovia, drove him beyond it, and entered that place.

THESE rapid successes determined his Sardinian Majesty to sue for an Armistice, which was granted; the French Generals holding the fortresses of Coni, Alexandria, and Tortona, as the stipulated conditions; and in a few days, a treaty of

of peace was ratified, much to the disadvantage of his Sardinian Majesty, who thereby left France the Austrians alone to contend with in Italy.

A SUSPENSION of arms was immediately concluded on between the Duke of Parma and Buonoparte ; who consented that the Parmesan territory should, *pro tempore*, remain neutral, on the following conditions :—to receive a contribution of 2,000,000 livres, 12,000 draught horses, fully harnessed, 100 officer's chargers, 20 paintings, 10,000 quintals of wheat, 5000 quintals of oats, and 2000 bullocks.

THE Austrians now fortified themselves along the Leggona, in order to defend the Duchy of Milan ; after being driven across the Po at Valence, General Beaulieu having previously evacuated Casal, and bent his course toward Lodi,—the bridge of which place is now become celebrated for the most desperate battle fought during the two campaigns in Italy.

BEAULIEU, with his whole army, was ranged in battle array, 30 pieces of cannon defended the bridge. A battery of the entire French artillery

was formed. The cannonade was very brisk for several hours. The moment the army arrived, it formed itself into a compact column; the 2d battalion of carabiniers in front, followed by all the battalions of grenadiers, in the attitude of charging, and with shouts of *vive la Republique!* They presented themselves on the bridge, which was an 100 toises in length. The Austrians kept up a terrible fire. The head of the column even seemed to hesitate. A moment's pause would have ruined all. Generals Berthier, Massena, Cervoni, d'Allemagne, the Chief of Brigade Lasne, and the Chief of Battalion Duphot, perceived it, rushed on at their head, and decided the yet doubtful conflict.

THIS formidable column overthrew every thing that opposed it. The whole of the Austrian artillery was instantly carried. Beaulieu's order of battle was broken. It scattered every where consternation, flight and death. Generals Rusca, Angereau and Bevrant, passed the bridge on the arrival of their divisions, and completed the decision of the victory. The cavalry passed the Adda at a ford, but this ford being found very bad, they experienced very considerable delay, which

which prevented them charging. The Austrian cavalry, in order to protect the retreat of their infantry, attempted to charge the French troops, but they found them not easily disconcerted. Night coming on, together with the fatigue of the troops, many of whom had marched more than ten leagues, did not permit them to persevere obstinately in pursuit of the Austrians. The Austrians lost 20 pieces of cannon, between two and three thousand men killed, wounded, and taken prisoners.

His ill successes determined Gen. Beaulieu to seek refuge in the Tyrolese mountain, and by the intervention of the Venetian State, the wreck of his army was saved, there to remain, in expectation of reinforcements from the Rhine.

THE Duke of Modena, in imitation of the Duke of Parma, had an Armistice allowed him, on the *modest* and forbearing condition, of paying a contribution of 2,500,000 livres and twenty paintings;—and by a Proclamation of Buonoparte and his relation Salicetti, the Commissioner, the Austrian Administration in Lombardy, has been annihilated, and a Popular Magistracy

cre-

created, composed entirely of plebeians, and exercising their functions in the name of the French Republic.

THE following is a specimen of the harangues, which Buonoparte is in the habit of addressing his army:

“ SOLDIERS OF FRANCE,
“ You have precipitated yourselves like a torrent from the heights of the Appenines; you have routed and dispersed all who have opposed your progress: Piedmont, delivered from Austrian tyranny, displays its natural sentiments of peace and friendship for France, Milan is ours, and the Republican flag flies over all Lombardy. The Dukes of Parma and Modena owe their political existence to your generosity. The army that with so much pride threatened you, has no barrier of protection against your courage; the Po, the Tessin, the Adda, have been unable to stop you a single day; those boasted Bulwarks of Italy have been insufficient to delay your progress; you have surmounted them as rapidly as you passed the Appenines. At length are the enemy entirely driven out of Italy; and our advanced posts are established on the mountains of Germany. If

“ I

“ I were to cite all those who have distinguished
“ themselves, I should be obliged to name all
“ the grenadiers and all the carabineers of the
“ advanced guard. You make a sport of death.
“ Nothing can equal your intrepidity, except
“ the gaiety with which you make your forced
“ marches. So much success has carried joy to
“ the bosom of our country. Your Represen-
“ tatives have ordained a fete dedicated to your
“ victories, which will be celebrated in all the
“ Communes of the Republic. Your fathers,
“ your mothers, your wives, your sisters, your
“ lovers, will enjoy your success, and boast with
“ pride that they belong to you. Yes, Sol-
“ diers, you have done much, but does there
“ remain nothing more to be done! Though
“ we have known how to vanquish, we have not
“ known how to profit by our victories. Pos-
“ terity will reproach us with having terminated
“ our course in Lombardy; but already I see
“ you run to arms; a slothful repose fatigues
“ you. Let us depart! We have yet forced
“ marches to make, enemies to subdue, laurels
“ to gather, injuries to revenge! Let those
“ tremble who have whetted the poignards of ci-
“ vil war in France, who have basely assassinated
“ our

“ our Ministers, and burnt our ships at
“ Toulon: the hour of vengeance and retribu-
“ tion is near at hand. But let the people re-
“ main tranquil; we are friends to all the peo-
“ ple, and more particularly the descendants of
“ Brutus, of Scipio, and the great men we
“ have taken for our models. Re-establish
“ the Capitol, and place there with honour the
“ statues of the heroes that rendered it celebra-
“ ted; awaken the Roman people, debased by
“ many centuries of slavery: such will be the
“ fruit of your victories; they will form an
“ epoch for posterity; you will have the im-
“ mortal glory of changing the face of the finest
“ country in Europe. The free French people,
“ respected by the whole world, will give to
“ Europe a glorious peace, which will indem-
“ nify them for the sacrifices they have made
“ during six years: you will then return to your
“ homes, and your fellow Citizens will say,
“ shewing you, *this man was of the Army of Italy.*”

THE inhabitants of Pavia, however, did not testify much approbation of their new rulers, and a revolt was the issue, which Buonoparte immediately checked, and furnished the Italians with another

another proof of the fraternizing love, in the following

“ PROCLAMATION OF THE COMMISSIONER SALICETTI AND GENERAL BUONOPARTE, PUBLISHED AT MILAN.

“ THE French Republic, which has sworn hatred to tyrants, has vowed at the same time *fraternity* to the oppressed. This principle of the Republican Constitution is *common* to the French soldiers.

“ THE Despot who so long held Lombardy in slavery, has much injured France; but *Frenchmen know the cause of Kings is not that of the people.*

“ DOUBTLESS, the triumphant army of an insolent monarch, would spread terror over a conquered nation; but a Republican Army, obliged to make a desperate war against the Kings whom it combats, *promises* friendship to the people whom its victories deliver from tyranny.

“ RESPECT to property and persons—respect for the religion of the people. Such are the sentiments

timents of the government of the French Republic, and those of the army of Italy. The good order which it has observed from the moment of its entrance into Lombardy, is of this an unequivocal proof.

“ IF the French conquerors regard the people of Lombardy as brothers, they have the right to expect from them a just return.

“ THE army is about to pursue its victories, and drive entirely out of Italy the Despot who holds Lombardy in chains. The independence and happiness of this country, are connected with the success of the French. Lombardy ought then to direct every effort towards this desirable object.

“ To secure the march of the troops, *we demand* of you *provisions*, which the army cannot receive from France on account of its great distance from the frontiers. It ought, therefore, to find supplies in Lombardy, into which victory has conducted it. The *rights of war give us a title to command*, and *friendship* ought to make you eager to offer us these succours.

THIS

“ THIS has determined us to *impose* a contribution of 20,000,000 livres on the different provinces of Lombardy. The wants of the army demand it. The periods of payment, shall be fixed by particular instructions. *It is an easy contribution for so fertile a country, above all, when the advantages which may result from it are weighed.*

“ THE distribution of the sum to be raised might certainly have been made by the agents of the French Republic, and nothing would have been more lawful; but they have confided it to the local authorities, and to the junto of State, pointing out to them only its basis. This contribution ought to be divided among the provinces in the proportion in which the impost that Lombardy paid to the tyrant of Austria, was levied. It ought to fall solely on the rich—on persons in easy circumstances—on the ecclesiastical bodies, who have been too long privileged, and who have hitherto had the address to free themselves from impositions. In general, the indigent class must be spared as much as possible.

“ IF requisitions of property are made, the General in Chief and the Commissioner of the

Government declare, that there shall be no surcharge of contribution. They shall estimate hereafter the value of all the objects in requisition, and that they shall be paid for to the vendor of the produce of his war contribution above fixed.

“ BUONOPARTE,
“ SALICEITI.”

AFTER the fall of Verona, and the battle of Borghetto, Mantua was invested; but as the communication of that fortress could not be cut off, Buonoparte found thereby an obstruction to his progress, which all his efforts could not surmount, during this campaign.

BOLOGNA, the School of the Carracci, Ferrara, and many other parts of the Pope's territory, fell into the hands of the French at this period, and the Austrians were equally successful in taking by surprize, the posts of Solo and Corona, which were afterwards wrested from them; and at the battle of Castiglione, 6000 Austrians (a reinforcement,) 30 cannon, and a considerable quantity of ammunition fell into their hands.

THE aged Pius, dreading the torrent of French successes would at length approach the Vatican; dispatched an Envoy to Paris, to supplicate a peace, which was granted on terms, that scarcely left his pretensions to sovereign power, the shadow of a shade.

WURMSEER,—that name which had hitherto known little of fortune's formidable reverses, at length arrived from the Rhine, with a reinforcement of 20,000 men, and various recruits from the interior of Austria, and endeavoured to possess himself of Milan; but ineffectually—and in five days the campaign was terminated. Wurmser lost in that short interval, 70 field pieces, 120 caissoons for ammunition, 15,000 prisoners, and 6000 killed and wounded.

THIS army was the last hope of Austria; to give it strength, the forces of the Archduke were paralysed, and his brigades reduced to skeletons; it was composed of the flower of the best disciplined troops in the world; and its fate irrevocably decided that of the war. The Emperor, who not long since hoped to make a breach in the iron frontier of France, and to plant his standard in the

the metropolis of the Republic, was by these misfortunes reduced to terms as ignominious as the Republic may choose to impose, or to see the French banners flying upon the walls of Vienna.

WHEN Hannibal was overrunning the Champaign country of Italy, he said that he dreaded the storm that was gathering upon the mountains. That storm was the Roman army under the temporising Fabius, which attended him on his march, and at last broke with effect upon the heads of the hardy Africans, who hoped to carry to Carthage the spoils of the Capitol. In like manner a storm has been gathering in the mountains of the Tyrol, over the army of the French Hannibal; but it burst like a bubble, and the elements of which it was composed, were melted into air. Though Wurmser, like Fabius, may by many of his military operations have deserved the surname of Cunctator, he did not, like him, restore the fortunes of his country. Part of his gallant army, lately so full of life, of hope, and of spirit, were left either fertilizing the fields, or infecting the air of Lombardy;—another part followed the wheels of the triumphant Buono-

parte in the humble attitude of captives; and the rest carried into Germany the news of their defeat, and the contagion of despair.

THE almost inaccessible mountains of the Tyrol, scarcely afforded an asylum for the remains of the Austrian army, as the moveable Telegraph, so successfully employed by the French, announced in Paris, that Buonoparte pursued his march on the great road of Tyrol, that he had passed the defiles of Brenta, that Eoileau's troops having joined Wurmser, were also defeated at the post of St. George a little without Mantua, with the loss of 4000 men, 10 pieces of cannon, 15 caissons, 8 stands of colours, and Wurmser at length forced to throw himself into Mantua.

AT Arcola the Austrians lost 5000 prisoners, 4000 killed and wounded, with 18 pieces of cannon; and the Austrian General Alvinzy was ordered to attempt to relieve Mantua, which was now closely besieged by the French General Kilmaine: various were the sorties made under the directions of Wurmser from that fortress, but all with unvarying ill success.

AT this period Buonoparte, under pretext that the Venetians had succoured the army of Alvinzy, took possession of the castle Bergamo, and made such other dispositions in that part of Italy, as indicated his intentions of *democratizing* the entire country.

A THIRD army, amounting to 50,000 men, and four battalions of the Vienna volunteers, had arrived to the aid of Alvinzy, and in the battle of St. Michael, near Verona, the French General Massena defeated a strong detachment of them, taking 600 prisoners, and four pieces of cannon: this affair commenced the campaign of 1797.

ON the morning of January the 24th, the dreadful carnage of Rivoli took place, in which 7000 were killed and wounded, 13,000 made prisoners, and Alvinzi himself narrowly escaped being made a prisoner.

UPON the 25th, General Guyeux attacked the Austrians at Anguiari, to attempt to throw them into confusion before they had entirely effected their passage. He did not succeed in his object; but made 300 prisoners.

UPON

UPON the 26th, General Angereau attacked them at Angiari, which produced the second battle of Angiari. He made 2000 prisoners, took 16 pieces of cannon and burnt all their bridges over the Adige, but the Austrians taking advantage of the night, fled straight towards Mantua. They had already advanced within cannon shot of this place. They attacked St. George's, a suburb, which was carefully entrenched, and were unable to carry it. General Buonoparte arrived in the night, with reinforcements, which produced the battle of la Favorite. The fruits of this battle were 7000 prisoners, a number of standards, cannon, all the baggage of the army, a regiment of Husars, and a considerable convoy of provisions and oxen, which the Austrians attempted to introduce into Mantua.

WURMSEER tried to make a sortie to attack the left wing of the French army, but he met with the usual reception, and was obliged to return.

BEHOLD then in three or four days the fifth army of the Emperor entirely destroyed,

23,000 prisoners were taken, among whom was a Lieutenant-general, two Generals, 6000 men were killed or wounded, with sixty pieces of cannon, and about twenty-four stand of colours. All the battalions of the Vienna volunteers had been taken prisoners. Their colours were embroidered by the hands of the Empress.

WHILE we lament the ill success of Wurmser —we cannot refrain our admiration of his character as drawn by Buonoparte :—

“ GENERAL WURMSER, seventy years of age, who this last campaign has severely experienced the cruelty of fortune, but who has uniformly discovered a courage and constancy which history will record ; surrounded on every side after the battle of Bassano, at one stroke losing part of Tyrol and his army, he conceived the adventurous hope of being able to take refuge in Mantua, from which he was four or five days journey distant, passed the Adige, routed one of our advanced guards at Cerca, traversed the Molinella, and reached Mantua. Shut up in this city, he made two or three sorties. All of them

them were unsuccessful, and all of them he headed in person. But besides the very considerable obstacles which our lines of circumvallation, thickly planted with field-pieces, and which he was obliged to surmount, presented to his exertions, he could only act with troops, discouraged by so many defeats, and weakened by the pestilential maladies of Mantua. Notwithstanding that numerous body of mankind, ever watchful to calumniate misfortune, will not fail to try their persecutions against Wurmser."

It was unexpected that Mantua could, under such circumstances of distress hold out any time, and accordingly on the 3d of February it capitulated, but not until 6000 of its garrison were killed, 9000 were sick, and out of 4000 horses, 3000 were eaten.

THE principle articles of the capitulation of Mantua were:—That the garrison shall be prisoners of war, except field-marshall Wurmser, and all the other Generals, with their Aid-de-Camp; 200 cavalry, and 500 individuals, chosen by the General Wurmser.

The eyes of Europe were now turned upon the Archduke Charles, as the opponent of Buonoparte—but *promises to the people*, and the powerful succour of a second reinforcement under Kellerman, rendered the French General equally successful in the battles of Tarvis, and Clagenfourth, and his contest with the Austrians under Prince Charles cost his Imperial Majesty 20,000 prisoners, 11,000 killed and wounded, with a vast quantity of ammunition, stores, &c. However, on the 2d of April, a cessation of hostilities took place between the contending armies; but not before Buonoparte had carried his arms within 36 miles of Vienna.

With the assistance of their emissaries, the French contrived to foment disturbances in Venice, which Buonoparte thought sufficient pretext for revolutionizing that ancient Republic, and to recompence the *great nation* for his attention to it—levied a contribution of 80,000,000 livres thereon.

At Venice, a large fleet was fitted out, under the command of Giuseppe Buonoparte, the younger brother of the General, and the Turkish islands

islands of Corcyra, Zant, Cephelania, St. Maure, and Corfee, in the Adriatic sea, were taken possession of, and the tri-coloured flag, planted on the ruins of the walls of the palace of Ulysses.

THE Directory next appointed him a Plenipotentiary at Rastadt, where his proceedings received the entire approbation of the French Executive Government. — The Emperor having negotiated a definitive treaty with the French Republic, considerably to their advantage, on the 26th of October.

WHATEVER pretensions this General may have to the character of a Republican, a Soldier of liberty, or a deliverer of the oppressed—his name is for ever tarnished by his wretched and tacit conquest of the Swiss cantons; and his acquiescence in the orders of the Directory, to that effect. This was his last military proceeding, prior to his return to Paris, in December 1797.

THE situation in which Buonoparte left the Government of Italy, was in every respect purely fraternal—a Transalpine, Cisalpine, or Italian Republic, were already formed, and sufficient incendiaries

incendiaries were left in Rome, to foment an insurrection with the help of the quondam Ambassador Joseph Buonoparte ;—this he effected with much *naivette sang froid* ; but his intended brother-in-law, General Duphot, was killed in the affray, which probably was not designed in the agreement. This memorable æra, which perhaps furnishes Governors for Rome, for ages, took place on the 26th of December, 1797.

BERTHIER, the favoured General of Buonoparte, was immediately dispatched with a hun-like horde of Gallic ravagers, to take possession of Rome ; and this capital, the once almighty mistress of the earth, is by the vicissitude of things human, insulted with a mimic form of a Republic, something similar to that which it possessed prior to the Augustan age :—alas ! how many are the methods employed by power to amuse the multitude !

On his arrival in Paris, Buonoparte received all the flattery of the fortunate ;—the streets blazed illumination,—the hotels conviviality,—the public gardens, theatres, and rooms were one never ending scene of gaiety, and he who was lucky enough to have *seen* this general, was deemed

deemed something extraordinary. An expert proficient in the empiric arts of greatness, he was seldom seen abroad; and when he did condescend to exhibit himself to the *canaille*—his singularities, affectations, and peculiarities were to a degree sickening. However, his condescension in this particular, seems to have been very timely, for one day in an absence from his residence, in the *Rue de Victoire*, a few *virtuous* Republicans waited on him, whose evident intentions were just the liberty of making a scabbard of his body.

Success, the daughter of Fortune, is a prostituted Deity, whose shrine is ever smoaking with the fetid exhalations of abject adoration, of which none furnish a more ample instance than Madame Buonoparte;—the cast off courtezan of an adventurer (Barras) was now worshiped as a sort of Semiramis. Statira, the mistress of Alexander, or Cleopatra, the syren of Mark Antony, never received half the respect which their sister demi-*rep* received. Portraits, characters, odes, and eulogies now constituted her offerings, and these in number sufficient to fire a fortress. Whilst a body-guard was appointed to protect this Hesperian treasure, we make no doubt, her favourite dragoons often eat the fruit.

BARRAS

BARRAS was the sole organ through which any communication could be had with Buonaparte, and while he scorned to cheapen his character by public appearance, he was known to spend more of his time in that Director's association, than he did with his frail partner. Rome, felt the fatal issue of the consultations of Cæsar, Lepidus and Antony; and one day perhaps, Paris will bewail her implicit confidence in her favourite General and Director.

WITH the ordinary pretensions to justice, which distinguishes the Manifestoes and Declarations of all governments in their own territories—the Directory now appealed to the people of France, on the common subject of the injustice of their enemies; their exorbitant demands and treacheries, as sufficient pretext for prosecuting the war. A public subscription was solicited by the Directory, and acceded to by the *Soldiery of France*.—indeed others contributed manuscript plays, towards supporting that great pastime—an invasion of England.

TROOPS from all quarters now poured in, towards the Western Coasts of France, to constitute what

what was termed *the Army of England*, of which, Buonoparte affected to be appointed Commander in Chief,—and like another Major Sturgeon, he boasted, printed, stormed and threatened England, as did his now exiled predecessor Dumourier, and with evidently the same success; but not with similar intentions, as is now apparent;—and in order to give the seal of probability, to his intended invasion, the Deal and Dover boats, were suffered to sail within point blank-range of Calais batteries, when experiments were making under his eye, of whole regiments of cavalry, embarking and disembarking in an instant, —the better to facilitate their practice, of landing on the most dangerous of all—British grounds.

THE incense which in all ages has been offered to the palm of Victory, was now the common lot of Buonoparte, in Paris, whilst all vied with each other in giving fetes, balls and masquerades, others named their villas after the principal scenes of his engagements,—The print shops from one end of Paris to the other, furnished terrifying representations, of blood and slaughter *on paper*, and a stranger might in any street be accommodated with a passage over the bridge of Lodi, *on*

gingerbread. All the public societies solicited him to become members to their respective institutions, since all agreed that he was equally qualified to wield a truncheon in the field, a bottle at the table, a pen in the closet, or a pencil in a retreat. Civic honors crowded upon him to a numberless extent, and whilst some member of the Council of *Ancients*, requested him to receive a pension—other members of the Council of *Youngsters* besought him to accept the name of *Italicus*, in imitation of Scipio, who received the addition of *Africanus* after his conquest of Carthage.

AMONGST the other treasures of which Italy was plundered by the French, the following paintings, sculptures, intaglos, &c. now ornament various parts of Paris.

THE Trunk of Hercules, Laoçoon, and Apollo of Belvedere — two Colossal Horses and their managers, supposed to be Alexander and Bucephalus, by Phidias—the colossal statue of Pompey under which Cæsar was assassinated—a Silenus holding an infant Bacchus—an Helenaphrodite and Dying Seneca—The Bust of Junius Brutus—a bronze

a bronze Statue of the Wolfe that suckled Romulus and Remus — The Dying Gladiator, — A Bust of Scipio Africanus, — the St. Susanna, which is supposed to be the most exquisite piece of modern sculpture existing — two Landscapes by Claude — Machiavel and Cæsar, by Titian — the Last Supper by Carravagio — A Portrait of Borgia, by Raphael — St. Peter, half length, by Guido, — the celebrated Painting of St. Cecelia & St. Jerome, for which two millions and half ster-
nlig were offered, and some thousands inferior noes.

AFTER so much vaunting and the many terrible airs which Buonoparte had given himself respecting England, after forgetting as usual to fulfil his *promises* towards that country, after his fugacity in these particulars, and his late invasion of Egypt, we will not neglect to evince in our character of him, that although his enmity against us is infinite, his judgment is not rash, and that to the lowring mind of a conspirator, he adds a shadowy looking body, which reminds us of a moving figure of stratagem.

CHAP. IV.

The present Order of things in France.—An Expedition suggested, and adopted.—Buonoparte appointed to command it.—Observations on the probable real Intentions of the Directory therein.

THE revolution of France, was not merely a revolution of government, but of mind ; and scarcely had that nation in part succeeded in what had hitherto been deemed an idle chimera, (the suppression of the house of Bourbon,) when it supposed all other attempts possible. The vast Canal of Languedoc, was undertaken and proceeded with,—an *Odeon* established,—a National Institute opened,—and many other public works begun, all for the greater part of as much utility to that nation, as the great wall of China ; and serving at once to illustrate the remark, that great edifices are tokens of great despotism,—witness the structures of Rome, Paris, Egypt, Persepolis, and Palmyra, in the respective æras at which they were erected. The *bourgeoise* of Paris, wearied of taking their *griffettes charmante*, to see the fountains of Versailles, Fountainbleau, and St. Cloud,

Cloud, play on Sundays, and ever on the alert for novelty, contrive at present to introduce them to the palace of the Thuilleries, there to bestow their "*marblieus*," *mon dieus*, &c. upon Roman busts, statues, cameos, intaglios, and relienos, without end; and if M. Buonoparte pursue his ravages, we have no doubt, he may oblige them with an Egyptian pyramid, to feast their inexhaustible curiosity upon.

AMONG other plans, which the new French government invariably make it a rule to adopt, is that of receiving the opinions of the most illiterate and obscure, upon the most abstruse subject, provided it be arranged with common order; under those regulations, we are not surprised they should adopt the plan of an attempt upon Egypt.

EARLY in June, 1798, it was known in London, that Buonoparte had sailed from Toulon, with a large armament, and fleet of transports; and whilst some supposed he was destined for Ireland, others believed his intention was to invade Scotland,—for so often had he threatened England, that the sincerity of his *promises* were much suspected.

suspected. More sagacious politicians believed, he wished to form a junction with the Spanish Admiral, Don Massaredo, to besiege Gibraltar; whilst few dreamed that his orders were to wrest Egypt from the Grand Seignior; particularly as M. Dubayet, the French Ambassador, at Constantinople, had lately received privileges and distinctions, hitherto never conferred upon an European plenipotentiary. The suite of that Ambassador, were even allowed to perform military evolutions in the portico of the Seraglio, for the amusement of the ladies of the Haram; and to such an extent had these indulgencies been carried, that they were officially and ineffectually complained of by the ministers of the coalesced powers; and while the neutrality which was observed by the Sublime Porte towards France, during her Revolution, it was supposed would exempt the Turks from any attack from that nation, on the principle of retribution; none could suppose the Directory base enough to attempt the destruction of an empire, whose political existence could never interfere with, or rival those of France.

BUT the same boundless and unprincipled ambition, which invaded the Swiss Cantons, which deceived

deceived the credulous Poles, which menaced Genoa, and excited Ireland to rebellion, would with similar apathy attack any other power, it dared to attack. Hence reflection will efface surprise, when it is now known, that the Executive Power of France did cause an invasion of the Turkish empire; accordingly we find, that their favourite General, Buonoparte, made good his landing, near the port of Scanderoon, in Lower Egypt, on the 26th June, with 40,000 men, arms and ammunition.

WITHOUT pretending to a possession of any other information on the *event* of this expedition, than what the public are already in possession of, through the medium of the public prints, and which a recital thereof in these pages, would have too great an appearance of verbosity and inappropriate intrusion; we shall barely offer some observations and communications thereon, which peculiar circumstances enable us to lay before the public exclusively.

WE are persuaded that the general notion entertained in India, viz: that M. Buonoparte's direct orders and intentions are, to attempt the conquest

conquest of Hindooostan, will be found to be both premature and conceived with very superficial sagacity. Indeed the enterprize which our enemies have lately evinced, and the rapidity of their conquests, might qualify them for many undertakings;—but we must not suppose they speculate to miscarry, as would evidently be the case, were they to make such an attempt. Buonoparte is convinced, that instead “ of the most delightful country in the universe,” which he describes the Terra Firma of Italy to be, that he has first to pass the scorching sands of Arabia Deserta, to accomplish such a purpose; he is well acquainted with the difference between a fierce band of Bedouin Arabs, and an Army of Italian *Castratos*; although desperation might force him to attack an enemy superior in number under many disadvantages, yet he will never quit Lower Egypt, and suffer his communication with the sea to be cut off, for the certain annihilation of his troops by suffocating hot winds, dysenteries and all the maladies of a naturally unhealthy climate, torrid zone and tropical temperature, all of which he must encounter, should he be induced to push his conquests. He well knows that from no adjacent power (such as Genoa

Genoa has been to him when in Italy) can he extort supplies by menace; he is well aware that in place of the populous towns of Lombardy, where he could levy contributions at pleasure, that the Arabian hordes carry their treasures and tenements upon their backs, like his own prowling pandours, and plant themselves for the moment where nature has planted verdure; he remembers Nelson, and probably at this time has not much inclination to imitate Pharaoh, in leading his host through the Red Sea into India, lest Admiral Renier might, like another Moses, overthrow the infidel; he is confident, that British troops are not precisely so credulous, as the soldiers of the Pope; neither are they so easily frightened by the *furia Francese*,—and that they never consider *cause*, when they can discern the enemy of their country, and that though he were to promise like an angel, they would believe him yet a Frenchman;—he is aware, that he must wage war on very unequal grounds, with the British powers in India, whose permanency and situation in this country, would enable them to bring fresh troops to the charge every hour, while his would diminish in proportion. On enquiry he will find, that Messrs.

Lally, Dupleix, &c. have not left the most favourable impression on the memories of the native Indian powers : and that he can expect little assistance from the handful of Frenchmen at Pondicherry, or in any other part of India; as they are for the most part emigrant royalists, who in the bitterness of their souls, curse his principles, which have bereft them of friends, fortune, and their native country ; and whose residence in India, is on *sufferance*—for such a period, as their tacit behaviour may entitle them to protection.

NOTWITHSTANDING, certain it is, that the French Republic have views in this expedition, adequate to the enterprize, and of these more than one exist, which we shall notice accordingly.

WHEN the expedition was proposed in March last, in the Council of Five Hundred by the Deputy Eschafferiaux, *some* of the advantages to be derived from such an event were noticed by him in the following manner :—“ It is, (said he) in turning my eye to the geographical chart of the world, and in running over the positions, the connections and communications which recent treaties

treaties have given to the French Republic, and in following to the South the movement of regeneration, which her genius and revolution have imprinted on this part of the earth, that I find the country where the French nation ought to place her new establishments. If there be a country known for its ancient fertility, inhabited by various tribes of people but half civilized, and which industry might restore to a wholesome temperature of climate, and to the culture of productions the most precious—a country which is only separated from the new dominions of France by a narrow sea, to which Frenchmen may easily go by the *new road* which they have opened for themselves, *thorough the territories of their allies*, where the expences of a new establishment will be *small*, and the *success certain*—it is there that policy and nature invite the Republic to found a colony.

“ To design a country by such a description, is to name that country, the envy of ancient conquerors, where Alexander formed the project to place the seat of his empire, and the centre of the commerce of the universe. Behold a plan worthy of Frenchmen!—*A colony which will not cost them*

them a drop of blood ; which will not only enrich the Republic, but by fertilizing a new part of the earth, will open a new mart for the arts, for the activity and speculations of all the trading parts of Europe. This colony will assure to us a greater advantage, it will give new strength to the French Adriatic Isles, of which it will become the Bulwark. By rendering the Republic mistress of the commerce of the Mediterranean, and of the ports of the Red Sea, it will oppose a barrier to the avidity of our enemies in the trade of the Levant ; by becoming the mart of all the merchandize of India, which comes by the Persian Gulf, and by the Arabian Desert, it will unite the commerce of the East with that of the West ; it will give to the small islands, and to the ports of the Mediterranean, that activity which they enjoyed when Egypt was the centre of the commerce and of the navigation of the earth. The close of this century, so vast in hardy conceptions, and in events favourable to humanity, will see also a colony rear itself, not founded upon principles of slavery and tyranny, but on those of liberty and benevolence ; upon ties truly social ; upon wants and comforts that are reciprocal.

“ It is not only under the view of commercial interests that it will be glorious for France to found a colony in Egypt. These two great projects wait, perhaps, for the genius of Frenchmen to be realized. One is, *the junction of the Mediterranean with the Red Sea, by the Isthmus of Suez*, one of the most vast ideas formed by the ancients, but which they did not dare to execute. The other is, *the reconnection of the canal, which in the time of Sesostris carried to the mouths of the Nile the merchandize of the Indies, transported by the Arabian Gulf*.

“ *THE time is favourable, and we must seize on this country to prevent other nations from doing it in our stead.*”

THERE are 50 scientific men employed in this expedition, among whom are 4 astronomers, 5 engineers, 3 naturalists, 3 mineralogists, 4 chemists, 1 geometrician, 1 botanist, 1 zoologist, 2 physicians, and 3 surveyors.

HERE are a multiplicity of *public* views entertained by the Directory, in their Egyptian expedition, exclusive of an invasion of Hindostan; *let*

let us now proceed to notice their probable *private* ones, which like the secret articles of a treaty are never disclosed until they are fulfilled.

THE central situation of Egypt is too important to be suffered to remain in the hands of Frenchmen for any length of time ; they may, by a permanent and undisturbed possession thereof, assist the distant provinces of the Russian empire in revolts of the most dangerous description ; in which case the Persians, they are convinced, would at any hour assist them.

SHOULD the Directory be induced to declare war against the Turks, they can attack their dominions in two places at the same time, and thus by dividing their forces, more effectually conquer them. As a considerable fleet of troop boats are known to be stationed in December, 1797, in the vicinity of the Archipelagoes of Greece, under the command of Guiseppe Buonoparte, the younger brother of the General.

IF a junction be formed between the Mediterranean and the Red Seas, the French may deluge Europe with Asiatic luxuries, at one fourth
of

of the present price paid for those articles of commerce, and thereby much injure the British commerce in India, if not totally annihilate it. Again, should such a junction take place, the voyage to India may be performed in as many weeks, as months are now employed for that purpose, by avoiding the Cape of Good Hope.

IN case the designs of the Directory might be extended to hostile views on India, the junction of the Red and Mediterranean Seas would enable them to attack the British possessions in many places at the same time, and thereby disconcert whatever obstructions we may oppose to their intentions.

THE Executive Power of France are well aware of the ambition of Buonoparte and his co-adjutors, Berthier and Angereau, and they probably anticipate, that as Buonoparte avowedly imitates Cæsar in his manners, he may also imitate that conqueror in the subjugation of his own country, to avert which they have given him an army of adventurers, and Egypt to commence dominion for himself upon. Not thereby to preserve France from slavery, but to insure

sure their own permanence in situation and power.

THE Directory are well convinced Mr. Pitt is, emphatically observing—a man of nerves, and will never consent to peace by resigning either the Cape, or Ceylon, and thereby suffer France to have a dangerous footing in the vicinity of the Indian Peninsula; for no man would accommodate a robber with an apartment in his house; and they, it is not improbable might have set on foot this expedition in order to create a *diversion* in favour of any future negotiations for peace; if so, they cannot charge us with reciprocal impoliteness, since Admiral Nelson has in return provided for their fleet an *entertainment*.

BUT the improbability of the success of this expedition, is so obvious, as to require no argument to support it,—one short observation is sufficient;—were France in possession of the Red Sea, the superiority of the British fleet alone is sufficient to annihilate their marauders, and the numerous armies which Russia and the Porte are now bringing against France in that quarter, and

and the event will barely furnish posterity with another pretty episodiary tale in the History of Egypt in addition to the fall of Pompey, equally paradox, equally true—"In the end of the 18th century, M. Buonoparte escaped explosion in *L'Orient*, but met that fate in *the East*."

CHAP. V.

Observations on the Character of a Conqueror—its Application to M. Buonoparte, his Manners and Peculiarities—with reflections on the Rapidity of his Conquests.

WERE a convocation of all the learned societies on earth summoned, and were it possible to concentrate into one focus all the posterior knowledge of men, perhaps a more useful proposition could not be submitted to be resolved, than an enquiry to know; "What is the greatest possible evil which could possibly befall mankind;"—its utility would be apparent—by being known it might be guarded against. The moralist, philosopher, physician, and naturalist

might severally urge their theories of evil, but as all would be local, all would be equally inefficient in ascertaining the true one. Another is unnoticed which but seldom occurs, and when it does, compensates for its scarcity by its magnitude—it at present is in a state of progressive embryo, and whoever is foremost to alarm mankind therewith, is forward to do good; thus with regret we behold, that nature sometimes afflicts the world with misery, to revenge the abuse bestowed upon her blessings, aided by the elements, the earthquakes, and the luxuriant fancy of her own imagination and power, she tumbls an armed monster, sword foremost into existence, amidst furies, fire and gore,—with a blood-stained label on his hillocked brow, affrightened trembling humanity with the name of “*Conqueror*”;—the earth beneath his weight a while sinks from her orbit, and all twinkling suns of distant spheres, controlling our downfall, a moment and anon suspend their light.

Who is unacquainted with the murder-stained annals of Tamerlanc, Saladin, and Philip?—who existing, has not heard of the ferocious Hannibal, the wanton slaughterer, Alexander, the incendiary

eeondiary of Persepolis ; and the insidious ruffian, Julius Cæsar, with Nero, Bajazet, Charlemagne, and a thousand other scourges of the human race, who have been severally worshiped under the infernal title of *Conquerors* ; and after existing in an æra in which we can amend our opinions, by a review of the errors of six thousand years, can the world, or any nation therein, glory in the man whose conduct marks him as a candidate for the nitche in the temple of folly, murder, and wanton cruelty ?—Afluredly not ; reason may with the world be for a moment suppressed, but her dictates return with reanimated energy.

THE conqueror is a dread known animal, of insidious, sanguine name,—he feels not friendship, but to mask conspiracies,—his smile is but the cloak of his dagger,—and the tender consanguinities of nature, are regarded by him, as so many frivolous considerations, fit only for the observance of the vulgar, and as no obstruction in his road to power ;—his caprice is the law of mankind,—his nod, their terror,—and his sword, the term of their existence. He scoffs at social order, and reciprocal duty, in secret, but in public is a fastidious observer of formalities. Than

him, can none in the assembly, hinge the knee with more obsequious subserviency ; but in his palace, the affrighted menial returns in terror, the poignard which tyrannic anger drove against his breast ; slaughter, death, assassination and cruelty, are the steps of his throne, and justice oppressed, is forced to lend her couchant body, for his footstool ;—his affections are uncertain as his temper, and he elevates only to depress ;—the sword, pistol, poignard, poison, axe and guillotine, are the emblematic ornaments of his chamber, and his motto is “universal conquest ;”—his mind is an imaginary model of deformity, and his body a kind of Cyclops headed monster, which sees all things with an universal eye of suspicion, jealousy or revenge, and conveys an illustrative idea of the horrible ;—his days are exhausted, in urging the cruel machinations of his nights, and his amusements are a contemplation of the natural qualities of the panther, tyger, and hyena ;—the miseries of mankind are amongst his pleasures, and the walls of his palace are built with the mutilated skeletons of his brothers, sisters, wives, rivals, and other obstructions to usurpation ;—the human race, like the sands, uphold his ambitions strides, until resolution

lution like the air, surrounds and strangles him, and then, oh! lamentable to hear, one life cannot appease the manes of millions !

THE man who would make his debut in life, with every appearance of assuming, when convenient, the character just faintly delineated should, whatever exterior appearance he may assume, be held up to immortal execration, and that M. Buonoparte is the candidate for such a part is notorious ; his manners, habits, measures and propensities are his accusers ; his country should be his tribunal, and prudent exile the reward of his dangerous ambition.

WE exist in an age when empires have other means than those of conquest to enrich themselves, and the social intercourse which the endless channels of commerce have pointed out should be a chief barrier to universal domination. Men in the present day prosper by their industry and judgment, and not by the vassal-like influence, which their several weights may cast into the scale of some feudal chief.

THE secret ambition of Buonoparte cannot possibly militate so much against any other country,

country, or in so prominent a degree as against France, for in other parts he can merely employ, but the theory of villainy, whereas by means of his co-adjutors—his dependants, his friends, reputation, and domestic influence, he can appear in the same hour by proxy, in the mask of the assassin in Paris, and with the truncheon of an invader in person, upon the frontier of some neutral peaceful power.

THERE did exist a period in the history of the world, in which (because men could not be better employed,) the whole lives of millions were consumed in following the fortunes of some attic prowler, who lost the appellations of murderer, robber, despoiler of chastity and depopulator, in that of *conqueror*; the art of war was known almost prior the art of agriculture, and hence it is that so many stalking specimens of human turpitude, blacken the annals of history. In the early ages of man, the individual owed his life to the caprice of his lord, and an appeal from it was deemed a crime of immeasurable depth; but in this day, when civilization has so much ameliorated our conditions, all men have full employment in emulating each other to be useful,

useful, and not like the superstitious and ignorant of other ages, in deifying a tyrannic conqueror. Perhaps all the boasted privileges and rights of modern liberty, cannot compensate humanity for the blood, nor posterity for the bad example of having succoured and idolized an ambitious General. Whatever the secret principles and intentions of Buonoparte may be, or however well he may dissimulate, all the world should recollect he is by birth a *Corsair*.

THE ordinary military commander of the day, is commonly content with success, and whatever reward his country may allow him. Implicit confidence is too dangerous a companion for implicit power, and hence, unless where peculiar circumstances justify the measure, the dependence of Generals should be at home, and not upon themselves abroad. The officer who is suffered to have too unbounded a discretionary will in an enemy's country, frequently becomes dangerous to surrounding nations, and independent of his own. What nation on earth would have refused its aid in crushing Washington, had that General marauded the earth and disturbed neutral countries, after accomplishing the

the liberty of his own. Again, perhaps in all the correspondence of Washington, in his proclamations, addresses and other official papers, no such names as Alexander, Cæsar, or Hannibal disgrace his modest prowess—whilst such epithets as fame; glory, immortality and renown render foetid the bombastic pen of his two-campaigned contemporary.

WHEN imagination deciphers the portrait of an incendiary, who skulks in face of day, to notice where he may apply his phosphoric apparatus by night, the character insensibly assimilates with that of Buonoparte, who carries on his person, the Works of *Machiavel*, and pretends sincerity, and “respect to religion,”—and whose respect to religion is verified in a proclamation, issued in the Papal dominions, wherein he observes,—“*the dominion of Jesus Christ, is not of this world.*” How frequently do we behold the sport of nature, annihilated for deformity of body, whilst her crimes of mental hideousness, are extolled by infatuated ignorance, and wondering credulity !

THE true soldier, like the wary gamester, makes his calculations of danger, with nice discrimination,

ermination and judicious experience ; and while mankind attribute the success of both, to some intuitive gift of nature, the wily plunderers, laughing at the admiration bestowed upon their successful practice of common cause and effect, build their pretensions to superiority of skill, upon the first of all foundations—the ignorance of their judges.

WHOEVER would deem Buonoparte a great General, would not even flatter him, but the man who would term him a Conqueror, would excite his respect and attention. His industrious imitation of the ancients, is so notorious, that we must here notice the vanity and ambition of the man, and leave the world to decide upon the comparisons of himself, with his predecessors.

THIS meteor of military prowess, is described, as possessing a person about five feet six inches in height, a sprite-like body, which at an assassination, would be found to possess all the convenient plentitude, and venom of the snake ; a down cast eye, which views, without beholding objects, and its sparkling darkness appropriately indicates the sable chamber of his mind, of which

it is an index ; an aquiline nose, pointed with acrid tyranny and disdain ; and a forehead prominent enough to convince the beholders, that the foul machinations of his head always conquer and defy the generous dictates, if any, of his heart. With command of countenance sufficient to be gay, sad, solemn, and severe, by turns, he possesses address and sensibility enough to deceive Lavater into an opinion, that his visage is a living model of justice, innocence, and simplicity. Like all tempotisers, he is all things to all men, when an end is to be accomplished,—but inflexibility of sour behaviour marks his manners on a contrary occasion ; and while he supposes his reputation is exalted enough to affect much singularity, he is careful to catch every opportunity to increase it. His premature knowledge of mankind, enables him to time his farcical punctilioes with accuracy ; and at intervals, he appears much immured in reflection, and is pleased to be thought absent in memory, and piques himself not a little, upon his being the first adopted Frenchman, who does not act under the guidance of petticoat influence. With the character of a misanthrope, from his earliest youth, he has been careful to avoid the unpopular odium of a woman

woman hater, by his sable marriage for ambitious convenience, with the mistress of his patron.

AN expert mechanic in the quackery of greatness, he never neglects the smallest circumstance which may tend to procure him a nitche in the temple of fame ; he is allowed a body-guard of soldiers, who must be severally qualified for such an honorable post, by having performed some *prodigy* of valour in his own presence.

THE Poet, when he imitates Horace, or any other ancient writer, or the painter when he copies a Titian, Guido, or Claude Lorraine, with becomming candour, declare their models, and like another unoriginal genius, Buonaparte's actions inadvertently publish the notoriety of his imitations of the Greeks and Romans, which insensibly detract from his reputation. Thus, when Cæsar was sent into Spain, after having served the office of Prætor, he shed tears on beholding the Statue of Alexander; and Buonaparte in his march to Alexandria in Egypt, is said to have shed tears, on beholding the pillar of Pompey. Alexander pretended to be so critical

a judge of Homer's Iliad, that history assures us, he carried that work on his person, in a small golden casket ;—and Buonaparte, not less a Philologist, erected a monument to Virgil, with a pompous inscription thereon, in which his own name, by frequent repetition, seemed to supply the place of grammatical particles. Caligula sent a small Egyptian Pyramid, from Heliopolis to Rome, which has for ages lain in the Church of St. Peter, and another of Red Granite, was sent by the Emperor Constantine. Buonaparte, resolving not to be out shone in any of these particulars, has taken care to plunder all Italy, not to embellish and enrich Paris, but to perpetuate his own memory.

CÆSAR scrupled not to infuse an enthusiasm in his troops, by means of augury, omens and oracles; whilst Cromwell in the same hour, played the sanctified devotee and cruel usurper;—and Buonaparte not less an adept in hypocrisy than his predecessors, accosts his army with the epithets of “*Soldiers of Liberty*,”—“*Deliverers of Mankind*,”—“*Modern Romans*,” and the like, whilst monuments, inscriptions, swords, promotions, rewards and distinctions, are distributed without end.

NOTWITHSTANDING

NOTWITHSTANDING, with all the vanity of a profound and vain egotist, the officer who would counterwork, would do ill to undervalue him, he possesses in a peculiar degree, that decision of character, which should ever distinguish the military man; short measures, and strong is his precept; an instance of this was evinced in his treatment of an Austrian Officer, who was taken by one of his picquets.

THE Officer was observed to have swallowed a small white ball, which circumstance was related to Buonoparte, who asked the Austrian, whether he would take the common methods of evacuating the ball immediately, by forced vomit; to which he answered with a negative. Buonoparte immediately ordered him to be taken outside, shot, and his bowels examined, by a Surgeon then present. The Austrian supposing this was merely meant to terrify him, obstinately persisted in discharging the ball, which was supposed to contain a secret dispatch; however, when he was forcibly blindfolded, he requested to be again brought before Buonoparte, who having been attracted by impatience, to see the ball, the spot where he was about to perish, called

called out,—“ I am a soldier, not a player—let me have the ball ;” the officer was instantly shot, and the ball was found to have contained information of the first importance.

WHEN the priests of Pavia had caused an insurrection in that place, and all the French troops to the number of 300, who were left to garrison the town, were murdered ; an intelligence being sent to Buonoparte, he ordered another 300 men, to march into that city ; at the same time sending with the commanding officer, a message, replete with point and brevity, it was couched in the following terms :—

“ PRIESTS,

“ SCORNING to take revenge by retaliation upon you, for the murder of my gallant troops,—I send you a number equal to the first ; and if a single hair of a Frenchman’s head is hurt, I will put you all to the sword, raze your city to the ground, and erect a column therein with this inscription,

“ HERE ONCE STOOD PAVIA.”

This

This had the desired effect, and the priests expecting immeditate death, which being agreeably disappointed in, became chief abettors of the French cause in that quarter.

THAT he has an improved and cultured taste for stratagem—the following is an instance: having attacked the troops of Wurmser, before that General threw himself into Mantua, at the battle of Arcola, and finding his numbers insufficient to effect his purpose, he dispatched 25 trumpeters to the back of Wurmser's line, to sound a charge upon the left wing, whilst he attacked the front and right; the charge was sounded, the trumpeters galloped up with speed, and by the confusion into which the manœuvre threw his enemies, who supposed themselves attacked front and rear, he was enabled to seize the wreath of victory.

AT Legano, his presence of mind not only saved a detachment of his army, but himself, from being made prisoners. By an able manœuvre, Wurmser forced him to divide his army into many parts in the same hour; and having understood, that Buonoparte could only at that instant command 1200 men, at whose head he was,

was, the General ordered an Aid-du-camp to acquaint Buonoparte, that he was surrounded by the Imperial troops, which was nearly the case; but as all had not marched up, Buonoparte ordered the Aid-du-camp to take the bandage from his eyes; which he immediately did, when he was addressed thus, " If your shallow sighted General, dares to take the Commander in Chief of the Republican army, let him try it,—every one knows the *entire* army are here, and if your detachment does not lay down their arms in eight minutes, (taking out his watch, and making a private signal to his own troops, who immediately huzzaed repeatedly;) I will put them every man to the sword."—Wurmser supposing himself circumvented, ordered his troops to ground their arms, which the French first possessed themselves of, and afterwards of their prisoners, to the amount of 4000.

THAT he is not deficient in courage, the bridge of Lodi, the attack of Robespierre's, Commander of the National Guard at Paris, M. Henriot, and the passage of the Adige will verify.

No French commander, during the Revolution, employed so great a profusion of bombast, as Buonoparte; and however impotent it may appear to an Englishman, yet in Italy, where the vulgar are matured in habits of superstitious respect for the nobility, such rhodomantade has its desired effect. It would be endless to recount the several instances; and notwithstanding he has had address enough thereby to deceive Wurmser and the Italians, by his reports of victories and official details, yet we are confident, that should he be infatuated enough to make any inroads into Hindooostan, General *Clarke* will adjust his future accounts.

WHOEVER would successfully circumvent Buonoparte, should suspect precisely the contrary to what he asserts, when he menaces one place with a siege, he will assuredly blockade or invest another;—this has been an invariable rule of his observance; and when he threatened England so often with invasion, it was well known he meant to attack some other part, and thus has Egypt felt his promise. He has, in the opinion of all military men, too often risked material points to carry inferior ones, and is *correctly cautious to avoid a war of Posts.*

At the issue of great events, mankind are more dazzled with the splendour of their effects, than stimulated to an investigation of their apparent causes; and hence wonder, surprize, admiration, and all the other offspring of indolent credulity have their origin. If an empire fall, or a nation be prosperous, we pore upon the circumstance, with all the drowsy contemplation of a monastic antiquarian, without endeavouring to avoid or emulate the incidents which have caused either.

Thus it is that the rapid conquests of Buonoparte, have been all attributed to his superior judgment, courage, and practical knowledge of the art of war, unaided by any other contingent cause; but the fallacy of this supposition will be evident, when it is known, that

FIRST,—The national character of the Italians, their supineness, indolence, superstition and inexperience, as a military people, made them a very proper object for a young General, to gain a name by their conquest.

SECOND,

SECOND.—The chief difficulty in the conquest of Italy, and the principal key thereof, viz. the passage of the Alps and passes of Piedmont, &c. had been secured by General Montesquieu.

THIRD.—His first dispositions and plans, were concerted with the aid and approbation of that universal and celebrated military argus, the Director Carnot, who at his chamber in Paris, and in the midst of his maps, charts, globes, telegraphs, and dispatches, officially directed the movements of fourteen armies, in various parts of Europe, in the same hour.

FOURTH.—He was aided by seven Generals, whom he frequently acknowledges were no ways inferior to himself in military tactics, viz. Augereau, Maffena, Berthier, Delaigne, Laharpe, Duphot and Scherrurier.

FIFTH.—Italy is a country, where, prior to the present war, the sword had long been sheathed, and the people totally unfit for opposing necessitous Republicans, and where the climate tended more than the bayonet, to destroy the Austrians who were their allies; it is a spot,

where the people had been employed in training opera dancers, musicians, painters, and poets, for the diversion of Europe, and where emaciated, whining eunuchs is the chief staple commodity;—where liberty is well known, but not practised since the æra preceding the Augustan age; and where the writings of Tasso, Metastasio and others, contributed to keep alive the ancient grandeur of the Roman Republic, until a convenient opportunity offered to consolidate it in modern times. It is a country, the government of which had long since been rendered odious, by the avaricious exaction of the church, who sold pardons, corn, grace and coin, at whatever price their priests chose to put upon them, and where the numerous emissaries of the French never neglected to sow disaffection and democracy. All these formidable assistances existed and arose independant of himself, and were chiefly instrumental in the conquest of Italy.

HITHERTO we have followed him in his progressional strides of unvaried fortune, and as Demosthenes observed of Phillip, that Goddess seems to have suspended her fickleness alone for him,—yet had he numerous local circumstances to

to aid his talents, which did he command in the last century, he would have found himself totally destitute of.—Like most public men, he owes his first notice to fixed political principles ; and his services at Toulon were not so much valued, as the critical hour in which he offered them ;—again his decisive conduct in the Conspiracy of Robespierre in Paris ; his sacrifice of all delicacy in the marriage of the mistress of his Patron, on the specific condition of commanding the Army of Italy. To his local knowledge of that country, the fluency with which he spoke the language and his intimacy with the manners of Italy, his promises of freedom to his credulous and superstitious Italian believers, are to be attributed much of his successes. He had to encounter soldiers who were unwilling to defend their Sovereigns ; and he was ever sedulously industrious to observe to a maxim the division of princes and people. His invariable method of perpetually keeping his army undiminished, by revolutionizing the territories he had over-run, and leaving the malcontents to guard and govern the former municipalities. His troops were already enthusiasts, and their zeal alone contributed much to the rapidity of his conquests and procuring

curing for him a reputation, as the troops of all Generals will, who can inculcate an enthusiasm and love of glory in their men. Possessing an army of veterans, he had to encounter merely ~~raw~~ Recruits, whose experience he well knew, would never bear *roasting*—and finally, the many abuses of the various Italian governments, and the dastardly disposition of his foes, it was which chiefly made him formidable, and not his own strength: for a man will ever have reputation for courage, who only encounters with cowards.



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OBSERVATIONS

RESPECTING THE

PUBLIC EXPENDITURE,

AND THE

INFLUENCE OF THE CROWN.

BY THE RIGHT HON. GEORGE ROSE.

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OBSERVATIONS

RESPECTING

THE PUBLIC EXPENDITURE AND THE INFLUENCE OF THE CROWN.

THE right allowed to every rank of the people to discuss points in the public conduct of their rulers, and to the representatives of the people, when called upon by the voice of their constituents, or prompted by their own sense of duty, to institute enquiries into such conduct, has always been reckoned among the blessings of the British Constitution. Certain parts of the management of public affairs are peculiarly obnoxious to such enquiry; and the wholesome as well as habitual jealousy of both the people, and their representatives, watches over those who are entrusted with it with a spirit of scrutiny, which though occasionally inconvenient and some-

times apt to be unjust, is one of the salutary guards of that freedom, which is our pride, our glory, and the great source of our prosperity.

Of these topics of strict investigation there are particularly two, which Parliament in its inherent and necessary function is frequently called upon to examine and to discuss, on behalf of themselves and of their constituents,—the *Influence of the Crown*, and the *Public Expenditure*; the last indeed as important with reference to the former, as from its own substantive effects on the ease and happiness of the people. Its importance, in both points of view, is in proportion to its magnitude; and now, therefore, when the circumstances of the times, and the situation of the country, call for its exertion beyond all former example, almost beyond all former conjecture, it is doubly incumbent on the House of Commons to exercise that guardianship of the public purse with which it is invested, by increasing checks, and by frequent enquiry.

This part of its duty, Parliament has, in fact, performed within the last four-and-twenty years in a manner more efficient, as well as more active, than

than at any former period of our political history. It is perhaps singular, and certainly most honorable to the individual Minister, that the same Chancellor of the Exchequer, whose duty it became towards the eventful close of the last century, to call forth as well as to manage the utmost resourses of the nation, made it another part of his duty to institute the means of examination and controul of that expenditure which he was to direct and to apply. But there was in that (as indeed is the case in all such public measures rightly understood) not less political wisdom than political virtue ; because the credit of the country will always rise in proportion to the provisions made, and to the measures adopted, for the satisfaction of its creditors, and the conviction of the people, with regard to the justness and appropriation of its expenditure.

Besides the general construction (if the phrase may be allowed) of our government, adapted at all times to the purpose of checking excess as well as abuse in its expenditure, there should be an occasional adoption of enquiry to suit particular cases and particular departments. This mode is rendered indispensable from the complication, as well as the

novelty, of many articles of public expence to which important and critical periods give rise; in addition to which there is also an energy in newly established institutions for restraint or investigation beyond the customary routine of official supervision. In the superintendance of great and widely extended concerns, no vigilance of department can at all times guard against possible abuses; frauds, or culpable negligence, will occasionally escape the detection of ordinary management, notwithstanding the utmost circumspection of vigilant officers. The best chance of discovering such particular abuses, or of suggesting general improvements in future, will be found in special enquiries from time to time: their institution is one of the legacies our lamented statesman has left us, not more creditable to his memory than useful to his country. This pointed exercise of enquiry is now become so much a political habit in this country, that we may venture to trust no future administration will discountenance it, nor any future generation allow it to go into disuse.

The precedents and practice of such useful enquiries, like the precedents and practice of all other great public institutions, it is extremely important should

should be unfolded and illustrated. It is with an intention to a discharge of that duty to the country, that the following accurate statement of the measures which have been already adopted towards the attainment of the objects above alluded to, in one point of view, is made; so as not only to shew what has been done towards retrenchment of the public expence, and the consequent diminution of the patronage of the crown, but also to exhibit the present subsisting state of such expence and patronage so much in detail, as to afford every person the means of judging what further retrenchments may reasonably be expected, consistently with the good of the public service, and, what in truth is synonymous, with proper encouragement and reward of merit in the servants of the public.—

	No of Offices.	Annual Value.
By the Civil List Act, brought in by Mr. Burke in 1782, 22 Geo.3. c 82. there were actually suppressed - -	134	57,500
Under regulations of the Treasury in 1782-3, by Lord Shelburne and Mr. Pitt - - - - -	144	13,625
Making a total of offices in the Civil List, suppressed in 1782-3, of - -	278	71,125
But there were offices created to per- form the duties of those suppressed, to the amount of . - - - -	62	10,909
Making a reduction at that time in the Civil List, on the whole, of - -	216	£ 60,216

	No. of Offices.	Annual Value.
Brought forward	216	60,216
The Exchequer Act in 1783, the 23 Geo. 3. c. 82. suppressed the Usher, Tally Cutters, the two Chamber- lains, and the four Second Clerks in the Tellers Offices, all valuable fine- cures; but those suppressions were not to fall in till the deaths of the parties - - - - -	8	10,000
Under the same act, the offices of Auditor and four Tellers were <i>re- gulated</i> , to take effect after the deaths of the then possessors; the in- come of the former was at that time £ 19,800 a year, and would have been more now than is here stated, at		60,000
The four Tellers would now have been		88,000
Suppressions and regulations in the Exchequer - - - - -		158,000
Deduct the salaries of the Auditor and of the four Tellers - - - - -		14,800
A ^{ct} ual saving in the department of the Exchequer - - - - -		143,200
The Auditors' act in 1785, 25 Geo. 3. c. 52. suppressed offices, the fees of which, on the National Debt alone at 100l. a million, would now have amounted to more than 60,000l. a year, on the accompts of the Bank, &c. and therefore on the whole of		
Carried forward	224	203,416

	No. of Offices.	Annual Value.
Brought forward	224	203,416
the public accounts audited by those officers may be moderately stated at		70,000
From which must be deducted as under,		
Expence of all sorts of the New Board,		
in 1785, - - - - -	9,900	
Additions in 1801, - - - - -	10,032	
Between 1801 and 1805, - - - - -	850	
In 1805, a new Board was constituted of three Commissioners and Officers	9,575	
And in 1806, the two Boards were consolidated, two Commissioners added, with an increased establishment, amounting in the whole to - - -	<u>14,811</u>	
Total of the present establishment of auditing public accounts -		<u>*45,168</u>
Actual saving of charge in this department - - - - -		24,832
The increased charge, occasioned by the immense accumulation of public accompts, has prevented the direct saving by the above-mentioned measure being considerable; but the positive advantages derived to the country from the strict investigation, which those accounts have undergone since 1785, are of incalcula-		
Carried forward - - - - -	224	<u>228,248</u>

* From this however should be deducted the salary of one Commissioner who is dead, to whom no successor is to be appointed.

	No. of Offices.	Annual Value.
Brought forward	224	£228,248

ble value.* The number of employments were not altered by the suppression of the two Auditors of the imprest under the Act in that year, and the subsequent suppression* of the Auditorship of hides, as three Commissioners were added to the two existing Comptrollers of Army accompts, to constitute the new Board then established. The subsequent acts added seven Commissioners, making the whole number ten,* without the Comptrollers, who ceased to be auditors under the last act, and one was added to their number; but the office of one of the new auditors having lapsed by death, and not being to be filled up, the increase in this department on the whole to be deducted is - - - - -

7

Diminution in the number of employments, and saving in the annual charge in the Civil List and the Exchequer	- - - - -	217 Offices	—
Of the annual value of	- - -	£228,248	

* When the Act was depending in the House of Commons in 1806, the Author ventured to express an opinion, that increasing the number of Commissioners would rather retard than accelerate the examination of the public accompts; instead of which increase he proposed the addition of some more inspectors. Experience may now be resorted to, to decide whether that opinion was well founded.

In the Customs there was a class of offices, granted by patent, in the gift of the first lord of the treasury, absolute sinecures, and many of them of great value* : this patronage was the more desirable, as no local claims interfered with it at all, which left the minister at liberty to dispose of it among the relations and private friends of himself, or of those on whom he was most desirous of conferring favors. These sinecure employments, to the number of one hundred and ninety-six, amounting at that time in value to 42,000l. a-year, and which would now, from the increase of trade, have been worth much more, Mr. Pitt took a determination to abolish so early as Christmas 1784; from which time they remained vacant as they fell in. In truth he disposed of only two of those from his first entrance into office; one given for public services †, and the other for the support of some of the younger branches of an ancient, noble

* One of these, worth more than 1200l. a-year, was given by Lord North to the brother of Mr. Robinson, and another, of about half that value, was held by a gentleman in the Treasury for Sir Grey Cooper, the joint secretaries of the Treasury.

† This was only a moiety; there was a survivor in the patent, which prevented the suppression of the office.

Family, utterly unprovided for. The act for suppressing this class of offices did not however pass till 1798 *, on account of regulations in contemplation for improving the management of the revenue of Customs, at which time there had fallen in 50, of the annual value of 13,320l.† That management in truth derived great advantage from the suppression of the description of offices here noticed, as the possessors of them, holding by patents, conceived themselves amenable only to the Treasury or the King, and sometimes formally disclaimed any responsibility to the Commissioners of the Customs, to the manifest inconvenience, if not to the loss, of the revenue.

In 1789, upon a strong representation from the Commissioners of Excise of the utter inadequacy of the salaries of the officers in their department to their very moderate maintenance, especially having in view the great trust unavoidably reposed

* 38 Geo. III. c. 86.

† These sinecure offices at all the out-ports are to be found in the Court Calendar of 1751, p. 102. They were at that early time described as worth 2, 3, 4, and 500l. a-year, with the appointment of valuable deputyships of great profit. They have been since omitted for obvious reasons.

in them, the Treasury made considerable augmentations thereto, sufficient to place the officers in situations of reasonable competency. That was done with double profit to the public; as the revenue was not only benefited by the officers being rendered independent of the traders, but, by a reduction of the expence of management, seven hundred and sixty-five officers having been then reduced; which effected an annual saving, after allowing for the augmentation of salaries to those remaining, to the amount of 12,345l. But no abatement is made for that arrangement here, it being included in the general statement of the Excise revenue under that head.

From this time to 1798 no reduction of any consequence took place; but in that year when the duty on salt was doubled, it occurred to Mr. Pitt that the revenue on that article might be better collected, and a considerable saving effected to the public, by the management of it being transferred to the Excise; which was done accordingly *, and the Salt Board with the whole establishment under it

suppressed, by which the Treasury lost the appointment of four hundred and fifty-nine offices of different sorts; but two hundred were added to perform the new duty under the Excise. In this case also as the diminution and addition of officers will be included in the general statement of revenue officers, no further notice of it will be taken here, except to observe that the Treasury lost a patronage equal to the extent of the whole Salt establishment, the new officers being all in the gift of the Commissioners of Excise, with whose appointments the Treasury have very little interference.

The offices of the Auditors of the Land Revenue for England and Wales next attracted the attention of Mr. Pitt. The duties of these, it appeared to him, were of a nature which would very well admit of their being performed by the Commissioners for auditing the Public Accompts: one was held by two gentlemen for their joint lives, the two others during pleasure. These were abolished by law in 1799 *, at which time the reversion of the most valuable, worth more than 3000l. a-year, was

* 39 Geo. III. c. 83.

open.

open. The reduction then effected was to take place upon the death of the possessors.

These three offices were of the annual value of 5500*l.*, which, added to those in the Civil List and Exchequer, and the patent sinecure employments in the Customs, absolutely unconnected with the collection of the duties except in two or three cases, make the reduction as under :

	Offices.	Annual Value.
In the Civil List and Exchequer -	217	228,248
In the Customs - - - - -	196	42,000
In the Land Revenue - - - - -	3	5,500
 Making a total of saving on official establishments - - - - -	416	£ 275,748

To these reductions of expence and influence, arising from what was done with respect to offices, should however be opposed the new establishments which have been made, and the new offices created within the same period, from the necessities of the public service.

The business of taking up transports and conducting the whole of the service (which during the American war had been principally managed by the Navy Board, but in some instances had been per-

performed by individuals on commission to their own profit) had been found to interfere so essentially with the other duties of the former as to render it indispensably necessary to establish a Board for that purpose in September 1794. In January 1796, the business of Prisoners of War was put under the direction of this new Board; and in 1806 the whole department of the Sick and Hurt was suppressed, and the duties transferred to it also, which leaves the balance as follows :

	No.	Salaries.
Offices <i>added</i> , Commissioners of Transports	- - 6	6,400
Secretary to do.	- - - - - 1	1,000
	7	7,400
Offices <i>suppressed</i> , Commissioners of Sick and Hurt, a and Secretary to them	- - - - - 4	2,065
	—	—
Increase of officers and salaries in consequence of the establishment of the Transport Board	- 3	£ 5,335

The establishment of a separate Board for the Transport service was strongly recommended so early as in 1788, by the Commissioners of Enquiry; and the advantages experienced from the adoption of it early in the war have most fully justified a compliance with that recommendation. These advantages are detailed at some length in a paper of

November 1801, in Sir John Sinclair's History of the Revenue *. Referring to that for more particular information, it will be sufficient here to state with precision the savings in direct expenditure.

In a former publication by the author, he referred to a representation by the commissioners to the committee of finance in 1798, when they said, "They have saved the public some hundred thousand pounds, which but for their close and constant attention, would have been lost ; adding, "that if the three Boards engaged before this time in hiring transports for their respective services, had each of them, through the weight of business, or want of attention, taken up one ship of a moderate size more than was necessary, or permitted one ship for each branch to remain unemployed, the pay of those transports, exclusive of incidents, would have amounted to more than the whole official charge of the new Board, and all the clerks under them." A single instance, after its establishment, will afford proof that this was no exaggeration. The barrack-office,

without authority from the treasury, in November 1795, took up some ships to carry stores, for which they paid 5l. a ton, while the commissioners for transports were taking up ships sheathed at 3l. 10s. and coppered ships at 4l.

It must indeed be evident that much inconvenience and loss was unavoidably sustained by the management of hiring ships having been under Boards which had other important avocations to attend to, more immediately connected with their departments. The examination of the vessels, respecting size, fitness, &c. necessarily devolved upon inferior officers, which business is now very differently conducted ; and on some occasions transports were taken up by officers commanding regiments or detachments, who could form no judgment either as to the hire or the tonnage of the ships ; a practice that frequently led to an useless continuation of hire by demurrage ; which has been avoided by strict examinations of log-books and papers : a great waste of stores has also been prevented, by a strict investigation of the expenditure and return of all articles.

Exclusive,

Exclusive, however, of the benefit which must have been derived from the improved management generally, some particular heads may be stated, the savings on which are capable of being ascertained with a considerable degree of accuracy. The particulars will be enumerated, and will prove that they are forty times greater in amount than the charge incurred by the creation of this Board *.

This will not appear so surprising, when it is considered that naval men must be more competent than others to manage sea-faring prisoners of war, as well as to engage proper vessels for cartels. One more striking advantage should not be omitted, viz. the speedy and strict examination of accompts, which had accumulated under the Sick and Hurt Board. Arrears to the amount of 940,000l. have already been settled; notwithstanding which, the accompts of the last war are not yet all adjusted; whereas those of the present war are in such forwardness, that if the same punctuality shall continue to be observed, the whole will be completely brought up and settled in a few weeks after a peace. In addition to all which advantages, a new

* See p. 31 and 32.

department has been created for checking the delivery and returns of stores, medicines, and necessaries of every surgeon in the navy, as well as of the surgeons and agents of hospitals at home and abroad.

The relief thus afforded to the Navy Board, by removing the transport business from under their control, still left their establishment unequal to providing for the widely extended operations of this war, which rendered a considerable increase to it absolutely indispensable. The number of commissioners of the navy was found altogether unequal to checking the expenditure in its various branches, providing at the same time for a strict and close examination of accompts, as well of the receipt and expenditure of stores as of cash ; especially as, on foreign stations in particular, opportunities were afforded for abuses to an immense extent, from the want of a superintending and controlling authority on the spot : the best remedy for which it was conceived would be the appointment of resident commissioners at certain places abroad, where there had been none before. On the whole, between 1798 and 1809, there were added eleven principal officers and commissioners of the navy at home, including those

those at Sheerness and Deptford, and four abroad: But four at home and two abroad were discontinued between 1784 and 1795, when it was thought their services were not required; which is a clear manifestation that nothing but the public good was in view when the additions were made. The most important of those took place indeed on the recommendation of the commissioners for naval revision. On the whole, within the period of our inquiry, the additions and diminutions of the principal officers and commissioners of the navy are as follows:

	No. of Offices.	Salaries.
Added - - - - -	15	15,900
Reduced - - - - -	6	4,300
On the balance an increase of*	9	11,600
To which is to be added an augmentation of salaries - - -		8,300
Carried forward	9	19,900

* When the salaries of the Commissioners, as augmented, are compared with the arduous duties they have to perform, as well as the incessant labor attendant thereupon, it will not be thought they are over-paid. This observation applies most strongly perhaps to the commissioners in the dock yards; and in a most particular manner to the one at Portsmouth, whose salary is 1,200*l.* with a house, and an establishment necessary in his particular situation to be kept up for receiving strangers and officers, which cannot be maintained at much less than twice that sum.

	No. of Offices.	Salaries.
Brought over		
Increase to the salary of the first Lord of the Admiralty to make it 5,000l. nett; still lower than the salaries of the Secretaries of State - - -	9	19,900
		<u>2,150</u>
Total increase to Admiralty and Navy Boards - - - - -		22,050
To the number of the Commissioners of Victualling, no addition has been made; but to their ordinary duties, which were increased beyond what they had been in any former war, there was added, in 1794, the pur- chase of provisions and all victual- ling stores for the army on foreign stations, which compelled them to a long attendance daily, instead of the moderate one of three days in the week before that business was thrown upon them; which induced an aug- mentation of salaries and allowances to the Commissioners and their se- cretary, amounting to - - - - -		<u>3,450</u>
Total increase of naval establishments of all sorts - - - - -	9	<u>£ 25,500</u>

But in this case, as in that of the Transport
Board, savings were effected greatly exceeding the
increased expence, as will be plainly shown in an-
other place.

The Board of Control for the Affairs of India was established in 1784,* consisting (exclusive of a number of members without salaries) of three Commissioners and a Secretary, at the expence to the East India Company of - - - - 6,500l. And about the same time a committee of the Lords of the Privy Council, with a President and Vice President, was appointed to transact the business which had been formerly executed by the Board of Trade: but the members composing it, holding other offices of profit, have no salaries for their duty. The only expence, therefore, attending the establishment to be taken into this estimate is 500l. a year each to two clerks of the Privy Council, who attend as secretaries, making an annual charge of 1000l.

The only remaining branch to be added to the increase of Establishments is that of the Barracks; and it is become a heavy one. What the difference of expence is between the maintenance of troops in quarters and barracks is extremely difficult to

* By 24 Geo. III. c. 25.

ascertain ; there are so many varying circumstances as to have defeated the utmost endeavour that has been used for the purpose : but the investigation which has taken place, at the expence of much labor in the offices, leads to a persuasion that the author was under a mistake, when he expressed an opinion in a former publication that the barrack system was one of œconomy ; he fell into the error from a statement of the late Barrack Master General, who most assuredly thought it was a correct one when it was made ; or he would not have allowed it to go out to the world under the sanction of his authority. The establishment is very large and very expensive, much exceeding any conjecture the author had formed on the subject,

	£
The three Commissioners and Secretary	3,900
Three Inspectors General, eleven Assistant Inspectors General, one Inspector of Stores, one Inspector of Returns, one Accountant and Assistant	7,900
Two Architects and Surveyors, one Checking Clerk, two Assistant Surveyors, and one Law Clerk	1,697
Total of the Board and Officers in London, exclusive of Clerks	£ 13,497

Brought forward	£ 13,497
At Edinburgh, two Assistant Architects and one Principal Clerk -	600
One Accomptant to bring up accompts in arrear - - - - -	400
Six Assistant Surveyors on building accompt - - - - -	1,092
	— 2,092
Total of the Board and Officers under them	£ 15,589
Barrack Masters 9 at 15s. a day, and 146 at 10s., 7s. 6d., and 5s. -	25,545
Twenty Assistant Barrack Masters from 10s. to 5s. a day - - - - -	2,497
Nine Storekeepers from 5s. to 2s. a Day - - - - -	623
	— 28,265
Total of Barrack Establishment, 184 persons, exclusive of Clerks, Barrack Serjeants, and Labourers (whose pay is not included here)	£ 43,854

Summary of the Increase and Decrease of Official Appointments.

	No. of Offices.	Value.
Reduced.—CIVIL, EXCHEQUER, CUSTOMS, LAND REVENUE, &c. -	416	£ 275,745
Added.—Total of naval establishments, without reference to the positive savings made in two of the departments, which will be included in another place - - -	9	25,500
Carry over	{ Reduced Added	416 £ 275,745 9 25,500

		No. of Offices.	Value.
Brought over	{ Reduced Added	416	£ 75,748
Board of Control		9	25,500
Committee of Privy Council for Trade		4	6,500
Barrack Department		184	1,000
		197	44,000
			77,000
Making in the whole of official estab- lishments, unconnected with the management of the Revenue, a re- duction of		219	£ 198,748

It would, however, certainly be unjust to consider this part of the subject drily on a comparison of the number and value of the offices: it should in fairness be adverted to, that a very considerable part of those abolished were absolute sinecures, many of them for life, and that some of the most valuable were open to grants in reversion*; some, as already observed, mischievous from the nature of the appointments; and most of the remainder useful only to the parties, and as sources of influence to the minister: whereas the employments created have all been positively required by the necessities of the public service, and demand constant and laborious attendance. Of course, the

* One Auditorship of the Imprest, the most valuable office of the whole, soon became vacant; an Auditorship of the Land Revenue, and the King's Remembrancership were grantable in reversion.

influence derived from the latter is most essentially different both in its *degree* and in its *direction*. Of the former, influence was in many cases the direct object ; of the latter, it is only an incidental and unavoidable consequence.

If we were to stop here, it might not unreasonably be asked, whether any candid man can refuse to admit that much has been done for keeping down the official charge upon the public, and towards temperately diminishing the influence of the Crown.

Mr. Pitt, however, did not confine his views to what might be done by official arrangements, but, looking anxiously to reforms, wherever they could be made, he effected many more considerable savings to the public than those we have enumerated, and at the same time sacrificed an influence as Minister, much more dangerous than any possessed by the Crown, because more secret and unobserved ; the extent of it, indeed, could be known only to himself, and to those immediately in his confidence. We shall state the measures to which we allude in their order, beginning with

with LOANS AND LOTTERIES; which used invariably to be settled by bargains made between the Chancellor of the Exchequer and a certain number of persons, selected by him: then shewing the profit to the public, by putting an end to the practice of making *private contracts* with persons intended to be favoured, for supplying the troops on foreign stations with provisions and money, and sometimes for furnishing ships, as already alluded to; and closing this part of the account with the profit derived from the mode irrevocably established respecting *the renewals of crown leases*. In each of which cases the influence diminished was not only extensive, but was obviously in its nature much more objectionable than any that could be acquired by the disposal of offices; as the effect of the former was secret and unobserved, whereas the latter is apparent and generally known.

The former practice, of *making loans*, was for the Minister to settle, with a few select friends in the city, the terms on which they should be made; and then to give these, lists of more private friends, intended to be favored, with the specific sums for each. Under such a system it cannot be doubted

doubted but that the conditions were, in general, sufficiently favorable to the contractors, and that it was always intended they should be so. In one instance, in the latter end of Lord North's administration, the Scrip was at a premium of 10l. per cent. two days before the names of the subscribers were sent to the Bank from the Treasury. Of course, every 10,000l. allotted to a private friend was precisely the same thing as putting a thousand pounds bank note into his hand. Mr. Pitt, seeing all the evils of such a practice, originated the principle of open competition for loans, by giving public notice in the city, through the Bank of England, that he would receive proposals from as many sets of gentlemen as should be inclined to make them, and would accept the lowest tenders that should be given in by persons of known credit*; which tenders were to be opened in the presence of the Governor and Deputy Governor of the Bank, in order to guard against any partiality on

* The Governor and Deputy Governor of the Bank were always previously consulted as to the competency of the persons who sent in lists; and only one instance is recollected of a doubt having been expressed of the sufficiency of those who desired to offer

the part of the Chancellor of the Exchequer ; and into the hands of those two gentlemen was previously put a memorandum, sealed up, of the lowest terms that would be accepted on the part of the public, to prevent any possible collusion, by a combination among different sets of persons offering for the loan.

It would be difficult to compute, with any degree of correctness, the exact sums that have been saved by this system, first introduced, and steadily adhered to by Mr. Pitt ; but, referring to the actual premiums at which the Omnium on the loans sold, on the first appearance of each in the market, in the years stated in the note *, it would be a mode-

		Premium.		
* In 1781	-	8½ to 11	In 1800	- 1½ to 1½
1782	-	4 to 5	1801	- 1½ to 1½
1783	-	6½ to 7½	1802	- 3½ to 3¾
1790	-	½ to ¾	1803 †	
1794	-	¾ to 1½	1804	- 3¾ to 4
1795	-	4 to 4½	1805	- 3¾ to 4½
1796	-	3½ to 4½	1806	- 3¾ to 4½
1797 †	-		1807	- ½ to 1½
1798	-	1 to 1½	1808	- 2½ to 3½
1799	-	3½ to 4½	1809	- 1 to 1½

† This year the Loan was at a Discount from 2 to 1½.

‡ Par, and 1½ Discount.

rate

rate estimate to put it at 3l. per cent.; and as 274,000,000l. has been borrowed since 1793, for the service of Great Britain only, exclusive of navy and exchequer bills funded, the saving to the public in seventeen years may be computed at 8,220,000l. equal to 483,000l. a year.

The immediate saving by Mr. Pitt's measure of directing the purchases of provisions, and of stores of various sorts, to be made by the Commissioners of Victualling, which had under former governments been a source from whence his predecessors had derived great as well as unobserved influence, comes next under our consideration.

The practice had been for the Treasury to give beneficial contracts to persons selected from favor for purchasing all articles of those descriptions, and for remitting money to foreign stations; from whence the individuals derived large profits, and the public sustained considerable loss. Mr. Pitt therefore, at the very commencement of the last war, put an end to that system entirely, and directed that all provisions for the army should be procured by the Commissioners of the Victualling; and on the

esta-

establishment of the Transport Board, that stores of all other kinds should be provided by them. The œconomical advantage of this arrangement was felt not only in the saving of the profit which the contractors who purchased for the public derived from the transactions ; but a mischievous competition in the provision market was avoided between the Commissioners for Victualling who bought for the navy, and the agents of the Contractors who bought for the army. In this instance again, it would be difficult to fix a precise sum as the saving to the public ; but as we know that the amount of the sums paid for army provisions, &c. by the Commissioners of Victualling from 1794 to 1808 was 8,477,000l., we may venture to conjecture that the contractors would not have derived a less profit than 5l. per cent. on that, under the old system, equal annually to £ 28,250 ; it would probably have been much more. It was not however under the Treasury only that beneficial contracts were held ; it will be seen in the course of these observations that members of the House of Commons had contracts also with the Navy and Ordnance Boards ; one gentleman, a merchant resident in London, had a contract "for casting such " iron ordnance as should be wanted." Nothing is

is however taken into this account for savings in consequence of these contracts having been put an end to, as they were of uncertain amount;— nor for the loss avoided by the Transport Board now purchasing stores, instead of favored individuals.

Here it is proper, however, we should bring to account the actual savings made in the departments now under the direction of the Transport Board, to which we before generally referred.—

Since the business of the Prisoners of War has been placed under the direction of the Commissioners for Transports, fifteen depots at home, and four abroad, have been suppressed; by which a diminution of annual expence has been effected of at least £ 14,000. The Commissioners reduced the price of the rations of the prisoners of war, in 1796, from $8\frac{1}{4}d.$ to $6\frac{1}{4}d.$ a day, at which it has continued, notwithstanding the increased price of provisions; chiefly by a partial substitution of salt fish for the same quantity of beef; which, for the number of prisoners before the arrival of those from Walcheren, would be annually * - - - - - 161,000
Carried over, £ 175,000

* That the prisoners of war have not suffered in their health by the change of the ration is evident, as they are now as healthy as they have been at any time. When this account was received in Sept. 1809, there were confined at Norman-Croft 6000, of whom only seven were sick. Would to God there were only the same proportion of British prisoners in France on the sick list!

	Brought over	£ 175,000
In victualling prisoners of war abroad there has been a diminution of 5d. a day per man, which on the present number would be annually	- - - - -	23,300
Total saving, prisoners of war	- - - - -	£ 198,300
Expenditure of the Sick and Hurt Department in the years 1804 and 1805	-	£ 536,200
Expenditure of the Transport Board for the same services, with an increased navy, in 1807 and 1808	- - - - -	505,600
In two years	- - - - -	£ 30,600
Annual saving on the Sick and Hurt	- - - - -	15,300
By the determination of a contract, which had existed more than 40 years with one family, for conveying troops to and from Ireland, which was put an end to by the Transport Board, in 1795, soon after its formation, there has been a saving of about £ 132,000, equal in annual amount to	- - - - -	9,400
Total saving by improved management under the Transport Board, without, as already observed, taking any pecuniary credit for this Board now purchasing stores	- - - - -	£ 223,000

The next great and important head of saving effected by Mr. Pitt was in navy and victualling bills and ordnance debentures.

A very large part of the expenditure of the navy is satisfied by bills which in the American war were at

at a discount from 10l. to 11l. and 13l. per cent. *, those without interest at double that amount, although always paid within eighteen or twenty months; the loss arising from which Mr. Pitt endeavoured to correct in 1794, by obtaining an act † to ascertain the punctual payment of all such bills at the end of fifteen months, with interest from their date. That, however, failing in its effect, another act † was passed in 1797, to insure the bills being satisfied, with interest, in 90 days from the date; since which the payments have been considered the same as if made in cash. The parts of the naval expenditure satisfied in this manner, in the present war, have amounted to more than 10,000,000l. annually; reckoning the discount, therefore, on the whole of the interest and non-interest bills so low as 11l. per cent., the saving to the public annually would be 1,100,000l.

* Discounts on Navy and Victualling Bills.

1778 4½ to 8½

1779 7, and from June, 10 and 11.

1780 11½ to 12, the whole year.

1781 12 to 14, once as low as 11.

1782 11 to 13, once as low as 10.

1783 13½ to 18, once as low as 9.

1784 15 to 21½, once as low as 12.

† 34 Geo. III. c. 21. † 37 Geo. III. c. 26.

On the ordnance expenditure, the saving has been in a much larger proportion, because all their debentures were without interest, and the discount from 24l. to 30l. per cent.* The part of the ordnance expenditure which used to be paid by debentures, and is now satisfied by prompt payments, was, on the average of the last three years, 2,491,000l., and computing the discount at only 20l. per cent., the saving thus effected is 499,000l. annually.

The last head of saving by management, is under that of the estates of the Crown. The act of the 1st of Queen Anne†, continued at the beginning of each succeeding reign, for limiting grants of crown lands to 31 years, put a stop to the actual alienation of the property of the Crown ; but, in its operation, had the effect of greatly adding to the influence of it, and certainly afforded no protection whatever to its revenues, as will be seen in the note below‡. In reigns antecedent to that of

* See Finance Report 1782, p. 22. † Ann. st. 1. c. 7.

‡ In 15 years, to 1715, the whole income from crown lands, including rents, fines, and grants of all sorts, was 22,624l., equal to 1,500l. a-year. Journals of H. C. vol. 20. p. 520.; and in 7 years, to 1746, was 15,600l., equal to 2,228l. a-year. Journals, vol. 25. p. 206.

Queen Anne, when grants were perpetual, the persons to whom they were made became immediately independent of the Crown, and not unfrequently gave very early proofs of that independence: whereas, by the measure adopted on the accession of the Queen, every grantee, or the person representing him, became dependent on the minister for a renewal of his lease, for which applications were generally made at such times, and on such occasions, as were thought to afford the best hope of their being attended to, on terms favourable to his interest.

Under this system Mr. Pitt, on coming into office, found the whole landed property of the crown, and the income arising from it, in every way, very little exceeding 4,000l. a-year. He therefore, after long enquiries, and most attentive consideration, applied a remedy in 1794, when an act* was passed, by which it is provided that no lease shall be renewed till within a short period of its expiration, nor till an actual survey shall have been made by two professional men of experience and character, who are required to certify the

true value of the premises to the Treasury, attested on their oaths. No abuse can therefore take place; nor any undue favour be shewn, under the provisions of this law, unless surveyors of eminence in their line shall deliberately perjure themselves, or a Treasury shall be found bold enough to grant leases, or renew them, at a less value than shall be certified to them, which could not escape immediate detection, as there is a clause in the act requiring an account to be laid before Parliament annually, " of what leases or grants shall have been made in the year preceding ; for what terms or estates ; the annual value, as returned on oath by the surveyors ; the annual value of the last preceding survey ; what rents shall have been reserved, or what fines paid ; and upon what other considerations such leases shall have been respectively made."

More strict provisions to guard against any evasion of the law could hardly have been devised. Under this management the revenue arising from the estates of the Crown has increased, in the fifteen years since the law took effect, from 4,251l. to 63,862l. and will go on improving till it

amounts to about 400,000l.* And this augmentation of revenue is accompanied by a material deprivation of influence, as above alluded to, which the minister formerly derived from the power he exercised over the property of the Sovereign. To what an extent that might be available to him, some judgment may be formed by observing, that of the persons holding Crown leases when the act was passed, upwards of eighty were members of one or the other House of Parliament ; and it is hardly necessary to add that, in the cases of other lessees, the parties, who might have the means of doing so, would naturally resort to solicitations of friends for obtaining the minister's favor. The profit from this arrangement is already, as stated above, annually 59,611l.

There remains still one other head of expence and influence, that has been restrained within the period on which we have been observing : we allude to the Home Secret Service, limited now to

* See Report of the Surveyor General of Crown Lands, dated the 1st of Dec. 1797. Printed copy in the House of Lords, p. 20.

10,000l. a-year, which was before unlimited* : but as the issues on that head were fluctuating and uncertain, though sometimes to a very large amount, no credit is taken for them in the following general estimate :

Recapitulation of Savings.

	No. of Offices.	Annual Value.
On a compare of the increase and decrease of official appointments † -	219	£ 198,000
On Loans - - - - -		483,000
On purchases made by the Commissioners for Victualling, instead of by favoured Contractors - - - - -		28,000
From measures adopted by the Commissioners for Tranfports - - - - -		223,000
From discount on Navy and Victualling Bills being discontinued - -		1,100,000
Do. on Ordnance Debentures - -		499,000

Carried forward		£ 2,531,000

* By the 22 Geo. III. c. 82.

† It should here be noticed again, that the savings to arise from the regulation of two of the Tellerships, and the abolition of the two Chamberlainships, and Tally-writership in the Exchequer, the Auditorships of the Land Revenue, and the profits arising from such of the patent offices in the Customs as have not fallen in, will not be effectual till the deaths of the holders ; but the Acts having passed for the several measures, the purposes cannot be defeated.

Brought

	No. of Offices.	Annual Value.
Brought forward	219	£ 2,531,000
By improvement of the revenue arising from the landed estates of the Crown		59,000
Limitation of Home Secret Service Money		<hr/>
		£ 2,590,000

These measures of economy, and for correcting abuses, were followed up by other laws, in the administration of Lord Grenville, for ensuring the payment of the public revenue, in various branches, regularly into the exchequer, and guarding against abuses in the expenditure of it *; and for abolishing some offices in the customs, and regulating others, in Ireland, on a similar plan with the one adopted in England †; also for an examination into abuses in offices in Ireland ‡.

The course, we proposed to pursue, leads us next to consider the state of the influence of the Crown, as derived from the number of persons in the House of Commons holding employments during pleasure now, and who held such at some former periods. By the Civil List Act in 1782, the under-mentioned offices were abolished; many of the pos-

* 46 G. III. c. 45. 75. 76. 80. 82. 150.

† 47 G. III. c. 12.

‡ 47 G. III. c. 41.

seffors of which were usually in parliament ; and when the measure was adopted, the numbers following were actually in one or the other house ; viz.

	House of Lords.	House of Commons.
Board of Trade - - -	1	5
Paymaster of Pensions - -	1	
Lords of Police, Scotland	4	1
Jewel Office - - - -	1	1
Great Wardrobe - - -	1	1
Treasurer of the Chamber		2
Cofferer of the Household		2
Clerks of the Green Cloth		6
Board of Works - - -		3
Master of the Harriers -	1	
Master of the Fox Hounds		1
	9	22
To these should be added eleven members of the House of Commons who held beneficial contracts under the Treasury *, and four under the Ordnance and Navy Boards ; some with the three Boards - - - - -		15
		37

There are, therefore, nine peers, and thirty-seven members of the House of Commons, under direct influence, less than there were in 1783, in consequence of legislative provisions. If the admi-

* Taken from lists presented to the House of Commons in April 1782 ; and preserved among the papers of that session.

nistration had been disposed to counteract these measures of the legislature, some persons, whose offices were not abolished, might possibly have obtained seats in the House of Commons, to counteract a part of the seven and thirty who were disqualified. It will be seen, however, that so far from any such attempt having been made, there are much more than 22 members fewer now in the House of Commons, holding employments during pleasure, than in any period that can be traced; the means for doing which will, however, enable us to go back only 70 years. Of the contractors, &c. there are no means of making comparisons,

There are at present members of the House of Commons, holding places of profit during pleasure, in Great Britain *	40
In 1739 there were	72
1748	65
1751	75

* In the Supplement to the Third Report of the Committee of Finance, made at the close of the last session of parliament, the number stated is 41; but we deduct Captain Hope, who is not in office; Mr. Johnstone's was not an office of profit; Mr. Wellesley Pole is reckoned twice; Sir John Nichol no longer holds an office during pleasure; and we add Mr. Jenkinson, and Mr. Calvert, not holding immediately under the Crown, and Mr. Jones, as his office is not for life.

In 1756 there were	- - - - -	74
1762	- - - - -	96
1769	- - - - -	89
1775	- - - - -	78
1781	- - - - -	65

If, therefore, 15 contractors, the number stated to parliament in 1781, are added to the smallest number of persons holding employments between 1739 and 1782, it will be seen that the persons now in office, in the House of Commons, are exactly equal to the half of the lowest number, at any time within that period.

Those, however, who complain of a prevailing influence in the House of Commons, do not confine their objections to civil employments, but resort to the great numbers of naval and military officers, who, from the great increase of the navy and army, have seats in that house. Let us, therefore, make a similar examination respecting members in that class.

There are now Members, not holding civil employments	In the			Total.
	Army.	Navy.	63	
In 1748 *	- - - - -	47	11	58

* In 1739, the officers who were members are not noticed in the Court Kalendar.

			In the		
			Army.	Navy.	Total.
In 1751	-	-	41	14	55
1756	-	-	37	16	53
1762	-	-	42	20	62
1769	-	-	45	19	64
1775	-	-	44	19	63
1781	-	-	34	14	48

These comparisons are made to meet the complaint referred to ; but if the parliamentary conduct of the gentlemen in these two highly honourable professions is adverted to, there will be no reason to think they are more under an undue influence than members of other descriptions. To what extent influence is derived from the disposal of commissions, in either service, from the large establishments of both, to persons not in parliament, the author has not much better means of judging than the public at large, who see the appointments in the daily papers ; as he has good reason for believing that Mr. Pitt interfered very little with the patronage of the Commander in Chief, or the Admiralty.

In times not very remote, indulgence was shewn to persons in lucrative employments, holding large sums of public money in their hands, in some instances

stances for many years after they retired from them, from whence they derived immense profit, at a considerable risk, as well as certain loss to the public ; which practice was checked by Lord Shelburn and Mr. Pitt, and finally put an end to by a law *, introduced by the present Speaker of the House of Commons, whose useful exertions as chairman of the Committee of Finance in 1797, have very greatly contributed to important and useful regulations.

A further protection against abuses is afforded by the simplification and publicity of accounts, first afforded to the public by Mr. Pitt. What mal-practices were screened by the intricacy and secrecy of them formerly cannot now be known ; but that the system was highly objectionable, cannot be doubted. One instance of concealment, and another of confusion, will serve to shew the correctness of this assertion.

Upon the application to parliament in 1769 to pay the Civil List debt of more than half a million, a pro-

* 39 & 40 Geo. III. c. 54 ; for inforsing the payment of balances by Public Accountants ; and compelling them to pay interest for money in their hands in the mean time.

posal was made to defer the consideration of His Majesty's message till an enquiry should take place respecting the cause of the debt; which was negative without a division, as highly unreasonable. A motion recommending retrenchments met with the same fate; another then was humbly submitted, merely for an account of the pensions and increased salaries from the commencement of the present reign; which was thought so perfectly reasonable, that a division was hazarded upon it; but it failed also, Mr. Fox, one of the Tellers for the majority *: so little disposition was there at that time to gratify such curiosity.

The instance alluded to of confusion in accounts is so late as in 1782. The Committee of the House of Commons, then appointed to examine the accounts of the revenue and expenditure during the American war, stated, that they thought it right to call for

* Commons Journals, vol. 32. p. 265. 465. 856. 866. Colonel Barré, in one of these debates, said, " When I was Vice treasurer of Ireland with Lord Clare, we always paid the money first, and then examined if we owed it." Debates 1769. p. 126.

an account of the nett produce of all the taxes, from 1774 to 1782, that a judgment might be formed whether, among other causes of diminution, the old taxes might have been affected by those imposed within the period ; which they printed in their Appendix, " imagining it might be satisfactory " to the House ;" from which account no man living could form the remotest judgment on the subject, without taking indefatigable pains, and then not without official assistance for the purpose stated ; as different heads of one revenue were so blended with those of others, as to render it difficult to distinguish to which each head belonged. But, what is still more remarkable, the amount of all the duties in the several years was not summed up, so as even to shew what the produce of the whole revenue was in any one year. If that simple operation had been performed, it would have been discovered that, at the close of that war, the income of the country was only 1,755,000l. a-year higher than at its commencement, although the addition to the charge upon it was 4,864,000l., on which the committee did not make the slightest
observa-

observation *. The only remaining source of influence, except pensions and sinecure places, which will be separately noticed, is the Church ; that cannot have increased, and has never been considerable : as far as respects the dignitaries, it is public, and generally known ; the livings in the gift of the first Lord of the Treasury are few ; those in the disposal of the Great Seal are much more numerous ; but, as far as is consistent with the knowledge of the author, the Treasury derives very little aid from the patronage of the latter. This limited source of influence is the only one now remaining on which every person is not as well informed as the Minister.

There have, indeed, been hints thrown out of other means of influence and favour, by quartering

* We may, perhaps, be told, that Mr. Pitt was a member of this committee ; but when it is recollected that Mr. Thomas Pitt (afterwards Lord Camelford), Colonel Barré, Mr. Hussey, the present member for Salisbury, Mr. Baker, the late member for Hertfordshire, Lord Minto, and the late Mr. Powis, all members of experience, and men of abilities, were also upon it, and that Mr. Pitt was then entering ardently into the labours of the profession he had chosen, no imputation will attach on his memory for neglect or carelessness.

upon

upon offices ; to which the author opposes the most positive and unqualified assertion, that, as far as was consistent with his knowledge and belief, there was not, during the whole of Mr. Pitt's administration, from 1783 to 1801, one employment disposed of which the individual on whom it was bestowed did not enjoy every shilling of the profits, as far as was known when the office was given, with the exception of a few cases, where persons in possession of laborious offices were actually disabled by age, or permanent infirmities *. In *such only* the officers retiring were allowed to retain a part of the incomes for the remainder of their lives, by authority publicly given. Circumstances have, indeed, since occurred, which brought to his knowledge two or three instances where the rule laid down by Mr. Pitt had been broken, and his caution defeated. Those were, however, such as no possible care could have provided against at the time. There can, however,

* In one instance of a vacancy by death in the West Indies, an officer who lost his employment by the peace in 1783 was appointed to one infinitely more valuable, on condition of paying annuities to other loyalists, in order to relieve the Pension List ; but this, as in the other cases, was an arrangement officially made.

be no danger of such a practice in any instance in future, under the strict provisions of the act * of last session, for the further prevention of the sale and brokerage of offices.

However satisfactory the result of this investigation of the measures adopted for useful and economical purposes may be to those, who have shewn a readiness to admit that the legislature and government have not been remiss in their conduct in that respect, if we were to close our enquiries here, the most candid might persevere in saying that, giving the fullest credit both to parliament and ministers for the best intentions towards the public interests, still the immense augmentations to the revenue since 1793 must have rendered the appointment of an overwhelming number of new offices indispensably necessary for the management and collection of it. We are therefore induced to bring this part of the subject also under an accurate examination.

* 49 Geo. III. c. 126.

	Amount of Revenue.	No. of Officers.
The <i>Excise</i> is to the largest amount :		
The nett produce of that Revenue paid into the Exchequer in 1808, and the number of officers employed in it of all descriptions, exclusive of 184 common seamen and boatmen, were	£ 22,784,000	5,043
In 1783	5,322,000	4,983
Increase within the period	£ 17,462,000	60
This, however, does not shew a fair comparison, because the above number of 5,043 officers, now employed in the <i>Excise</i> , includes 325 who were appointed for the management of the tobacco duties, when placed partially under the <i>Excise</i> , in 1789. The increase on those duties much more than satisfied the charge of the officers' salaries *. The correct way of stating this head would be, — Addition to the <i>Excise</i> revenue within the period, and number of officers	17,462,000	60
Improvement of <i>Excise</i> revenue, by the addition of tobacco duties, and num-		
Carried forward	17,462,000	60
• Nett produce of the duties on tobacco paid into the Exchequer, on the average of three years, 1790 to 1792	£ 566,300	
Do. in the three years, to 1788	392,300	
Profit to the revenue	174,000	

The duties were partially transferred to the *Excise* in 1789.

	Amount of Revenue.	No. of Officers.
Brought forward	£ 17,462,000	60
number of officers appointed for the management of these	174,000	325
Which would leave, on the whole of the period, having regard to the new taxes only, an <i>increase</i> of revenue, and a <i>diminution</i> of officers	17,288,000	265
The duties under the management of <i>the Commissioners for Taxes</i> are next in amount. The amount in the year 1809, and the number of officers of the public employed in the collection, were	16,747,000	438
In 1783	516,000	263
Leaving, in the whole, an increase of revenue and officers, of	16,231,000	175
<i>In the Customs</i> , the nett produce paid into the Exchequer in 1808, and number of officers, were	8,797,000	4,317
In 1783	3,375,000	3,450
Leaving, in the whole, an increase of	£ 5,422,000	867
In the <i>Stamps</i> , the revenue paid nett into the Exchequer, and number of officers in 1808, were	4,512,000	358
And in 1783	726,000	215
Leaving, in the whole, an increase of	£ 3,786,000	143

	Amount of Revenue.	No. of Officers.
In the Post-office, the revenue paid nett into the Exchequer, and the number of officers in 1808, exclusive of letter- carriers - - - - -	£ 1,076,000	339
Do. in 1783 - - - - -	148,000	155
Leaving an increase of	<u>£ 928,000</u>	<u>184</u>
	Total Increase of Revenue and Officers.	
Excise - - - - -	£ 17,462,000	60
Taxes - - - - -	* 16,231,000	175
Customs - - - - -	5,422,000	867
Stamps - - - - -	* 3,786,000	143
Post-office - - - - -	928,000	184
	<u>£ 43,829,000</u>	<u>1,429</u>
Deduct the whole Salt establishment - - -		495
		<u>934</u>

These are the great branches of the public revenue; to the smaller ones no addition has been made at all worthy of notice, either as to increase in the amount, or to the number of officers employed in the collection of them.

The result of this careful and attentive investigation appears to be, on the most unfavorable way of making the comparison, that addi-

* These charges of collections include poundage as well as salaries; by far the greatest part of the former is paid to persons not holding offices under government.

tional taxes, to the amount of very near 44,000,000l. are collected by an addition of 934 officers, almost the whole of whom are in the inferior classes ; and that, while the revenue has been augmented in a sixfold proportion, the officers employed in the management and collection of it have been increased only one-tenth in number. But if the customs are withdrawn from the account, as they should be in forming a comparison of this sort, because a very large proportion of the officers in that department have been added to afford accommodation to the trade of the country, rendered indispensably necessary by the immense increase of it*, the comparison would then stand thus :

Increase, exclusive of Customs, within the period	Amount of Revenue.	No of Officers.
-----	£ 38,407,000	67

It should be observed also that, in the department of the Assessed Taxes, the additional officers have been appointed as well for the improvement of the old duties, as for the collection of the new.

• Hitherto we have considered the effect of the new taxes with reference only to *influence* ; let us now

* The exports of British manufactures, in the first three quarters of 1809, are more than twice the value of those of the whole year in 1793, the first year of the last war.

examine how far *economy* has been had in view in the collection and management of them.

Excise	- - - - -	£ 237,212
Taxes ; salaries of officers	41,790l.	381,582
Do. Poundage	339,792l.	
Customs	- - - - -	*177,423
Stamps ; salaries of officers	16,792l.	51,538
Do. Poundage	34,746l.	
Post-office	- - - - -	30,663
		<hr/>
		£ 878,418

An additional revenue, therefore, of 44,000,000l. is collected for rather less than 2 per cent., according to the statement above ; but this would be a most unfair view of the subject, as a great part of this expence would have been indispensably necessary for the protection of the old revenue. The increase in the excise is nearly altogether for the augmentation of the salaries of the officers on the establishment, to enable them to exist, before the new taxes were imposed. The expence for tobacco officers, as has been stated, has been much more than reimbursed by the improvement of the revenue. A considerable part of the increased charge in the Customs has arisen from salaries

* A considerable part of this sum arises from augmentations to salaries, in lieu of fees abolished, to secure a better management of the revenue.

having been established for the officers, in lieu of fees, as observed in the note in the preceding page, by which the revenue has, beyond all doubt, profited to a much larger amount than the expence incurred: and it may be stated, with perfect certainty, that the additional charge in the department of Assessed Taxes has been much more than compensated by the increase of the revenue from the exertions of the new officers.

The charge of managing the whole revenue of the kingdom appears now annually in the accounts laid before parliament, an attention to which will convince any one who has considered the subject extensively, that there is not a country in Europe where the taxes are collected at so moderate an expence as in this *: it may indeed be questioned whether

* For the economical management of the revenue of Great Britain, compared with that of other countries, see the Fourth Report of the Committee of Finance in 1797, page 36. The fidelity of accompting for the public revenue is not less remarkable, than the economical mode of collecting it. In a pamphlet published by the author in 1792, he had the gratification of stating, that during many years previously to that time, the only defalcation, that had happened in the receipt and remittance of all the revenues of the country, was a few hundred pounds lost by letter-carriers: and in the period which has elapsed since

whether there is any person possessing very extensive property whose receipts are managed with such œconomy as the public income of Great Britain.

These statements will be found intelligible, it is hoped, even to persons who are the least conversant with subjects of this kind ; and they are made in such a manner as to afford the easiest means of detection, if any unintentional error shall have escaped the diligence of the author. If their accuracy shall stand the test of the closest scrutiny, ought any one, in future, to indulge himself, for the sake of popularity, or from any other motive, in making declamations, either in or out of parliament, about the increased and increasing influence, of which we have frequently heard so much of late†, and the

immense

that publication, the same observation may be repeated, with one exception only of any importance, in the case of a collector of excise ; a great part of whose balance however has been recovered, and the whole may be. In any event the sum in danger appears to be under £10,000.

† Nearly the greatest number of civil employments, held by members of parliament during pleasure, appears to have been in 1769, when Mr. Dunning was Solicitor-General, during the administration of His Grace the Duke of Grafton ; to which no objection then occurred to that gentleman, or his friends : but, tired with a long opposition, at the end of an unsuccessful war,

(which

immense charge to the public, with the attendant accumulations of patronage to the minister by the management of new taxes? Least of all should any one declaim on the *imperceptible influence*, which has been sometimes much dwelt on. While the practice of making close loans was in use, which afforded opportunities of gratifying long lists of private friends secretly; and beneficial contracts were made with members of parliament, or their friends, from favor only, to a great amount; and so long, too, as leases of the landed property of the Crown were renewed from time to time, on terms of great advantage to the lessees, and of loss to the Crown; while accountants or their representatives were permitted to retain, with impunity, large balances of the public money in their hands for their own emolument; and while home secret service money

(which in the beginning had been popular) he moved, "that the influence of the Crown had increased, was increasing, and ought to be diminished." In which motion he prevailed, although the members holding offices during pleasure in the House of Commons were considerably fewer at that time than when he was one of His Majesty's law-servants. Several reforms in office were made in consequence of that vote; but the means of imperceptible and corrupt influence were untouched till done away by Mr. Pitt.

was unlimited, there certainly was an influence hardly at all perceptible, except to the minister bestowing those favors, or countenancing those abuses, and to the parties who profited by them. None of those, however, continue to exist; and, with the exception of Crown livings, every man who looks into the Court Kalendar will be nearly as well informed of what the minister has to dispose of as those most immediately in his confidence. What he does dispose of is constantly published in the papers of the day.

Among other advantages derived from the labours of the Committees of Finance, the public is accurately informed of the burthens upon it, and how every part of its income is disposed of. Hence we are enabled to state, with precision, the charge incurred by pensions and sinecure employments, and to compare that with the whole of the revenue, which it appears to be desirable should be done, as many well-intentioned persons have taken an impression, that if all those were put an end to, the public might be relieved from a considerable proportion of its burthens.

In the Appendix to the Third Report of the last session, already referred to, it will be seen that the pensions to foreign ministers are - - -	£ 30,000
Those at the Exchequer - - - - -	63,000
Out of the 4½ per cent. duty - - - - -	28,300
Total of English pensions - - - - -	* 121,300
Pensions, Scotch Civil List - - - - -	35,600
	156 900

Sinecures in England †, which will remain after the reductions shall take effect, which have been already made by law; and the suppression of an office in the Admiralty court, after the determination of existing interests, of which notice has been given - - - - -	43,000
Sinecure employments in foreign settlements - -	17,300
Do. in Scotland - - - - -	25,000
	£ 242,200

Comparisons have frequently been made between the present and former times, in vague and general terms, in support of popular complaints, to shew the necessity of a sweeping reform; a reference therefore to an early period may be useful, admit-

* Exclusive of parliamentary grants, as rewards for public services of the most eminent nature.

† Exclusive of those in the courts of law, with which the minister has nothing to do; and, if abolished, compensations must be made for them to the Chief Justices, or to those who have the patronage.

ting, as we do distinctly, that *prescription is no title for the continuance of abuse*; and allowing, to the utmost extent, the expediency of constant checks, as well as of occasional enquiry, both as to public expenditure and its supposed necessary concomitants, the increasing patronage and increasing influence of the Crown.

Nothing can be more remote from the intention of the present publication, than a wish to discourage enquiry, or to prevent the suggestion of salutary checks: the real object of it is to lead others to examine the ground on which the necessity of adopting stronger measures of restraint as well as of investigation, at the present period, has been repeatedly urged, frequently with the best intentions, and with the purest motives. In endeavouring to set right the public opinion on this subject, the performance of an act of justice to the members of *any* administration, is but a small part of its use; a much more important consideration is, its effect in producing that salutary and reasonable confidence which gives the power of exertion to the government, and that concurrence

currency which seconds its exertions among the people. This is stated, with some experience of the unpopularity and ridicule that has been so often attempted to be fixed on the word Confidence, applicable only to that which is unthinking and blind. Stripped of its partial covering, confidence in those who must act for the nation, in its present legitimate sense, is that principle which gives energy and vigour to national enterprize, and strength and security to national defence.

The amount of sinecure employments cannot be compared with former periods, as there are no means for enabling that to be done; but we shall find the amount of pensions occasionally in the Journals. In the last year of Queen Anne, it was* 130,000l. nett in England only, as the 1s. and 6d. taxes did not then exist; at which time the value of money was in the proportion of 257 to 562 at this day†.

* Commons Journals, vol. xviii. p. 84.

† See Philosophical Transactions, vol. 88. p. 176, a paper prepared with great care and accuracy, by the late Sir George Shuckburgh.

To what extent, or in what manner, it may be proper to prefs further retrenchments, the author has not the remotest intention of offering an opinion: his view has been clearly explained; and he trusts the statements will bring to the recollection of his readers what has been done for the attainment of objects of high importance, and of deep interest to the public, by shewing the present state of patronage and influence, compared with what it was in antecedent periods, which have been spoken of as "good times;" about which he is persuaded much misconception prevails at this day, even among reasonable and candid men. By some, indeed, it has been said, with a manifest intention of inflaming the public mind, that if sinecures and pensions were entirely suppressed, the burthens of the country would be instantly lightened to a great amount, if not entirely removed: an answer to which inflammatory suggestion may be found by a comparison of the before-mentioned total, large as it is, with the amount of the taxes raised upon the people.

The whole revenue of Great Britain is more than 60,000,000l. a-year; the charge on which, of

of 242,000l., for pensions and sinecure employments at home and abroad, is between three farthings and one penny in the pound. By the extinction, therefore, of all sinecures and pensions, a person paying taxes to the amount of 50l. a-year would save about 4s. Such a saving we are far from thinking should be treated as trifling or insignificant; it would ill become the author to do so: on the other hand, how infinitely short would this fall of the expectation that has been held out?

But if from the total sum received from sinecure places and pensions, deductions were made of such as have been given as rewards for public services, the amount would be very greatly reduced; pensions to foreign ministers, in particular, whose appointments are hardly, in any instance, sufficient for their maintenance.

The pension list also contains provision for the branches of noble and respectable families fallen into decay; this is however an exertion of national generosity, if not of justice, which the most scrupulous œconomist will hardly consider as improper. Something must certainly be allowed for mere favor;

but when the instances are clearly improper (and it is not meant to contend there are no such), they are at least open to public animadversion; as they are now regularly laid before parliament, and printed from time to time, which certainly affords a considerable, if not an effectual, check against abuse.

If we look to official incomes, it will be found they are, in most cases, barely equal to the moderate, and even the necessary expences of the parties; in many instances they are actually insufficient for these. May we not then venture to ask, whether it is reasonable, or whether it would be politic, that such persons should, after spending a great part of their lives with industry, zeal and fidelity, in the discharge of trusts and public duties, be left afterwards without reward of any sort, and their families entirely without provision?

It would hardly be wise, on reflection, to establish a principle which would have a tendency at least to exclude from the service of their country Men likely to be useful to it. Great numbers of those who engage in trade and manufacture (than whom none are held in higher estimation

by

by the author) or who enter into various professions, frequently acquire very large fortunes, and seldom, if they have talents and perseverance, fail to obtain independence. What fairness, justice, or reason is there then in marking the character of the official man alone with disrespect, and himself as unfit to have reward in any case, beyond an annual stipend for his labour and services, just sufficient for his necessary current expences, however faithfully and diligently he may have discharged an important trust for a long series of years? Surely it is not unwise or unreasonable that the public should be in a situation to bid to a limited extent for talents, in competition with other honourable and lucrative professions, and various branches of trade and manufactures *.

It has always been justly held in a free country, and particularly in this, to be one of its greatest privileges, that the chief aristocracy, as far as

* The Author most readily admits that fortunes thus acquired are, in general, the honourable reward of talents and industry, fortunately exerted in a country where prosperity has given them room for exertion, and under a constitution which provides at once for their security and their distinction. He has witnessed instances of this sort frequently, with peculiar satisfaction.

relates to the management of its public concerns, should be an aristocracy of talent and of virtue, as well as of rank and property; which principle would be destroyed if remuneration for public services should be withheld; and the community would be deprived of all its advantages. Not only the great offices of state, but some others of most efficiency must then be confined to men of hereditary wealth and independence; and, with all the proper respect which should be entertained for such men, it must be allowed that, for the acquisition and improvement of talents necessary for the higher offices, the passing occasionally through the inferior situations, and that principle of activity which animates men in the attainment, so much more than in the mere possession, of power and station, are much more favorable than the honours claimable by descent alone.

It is true that magnanimity and genuine patriotic ambition will look for a nobler reward for their services than the emoluments of office; but, in the present state of society, a certain appearance is essential to be preserved by persons in certain stations, which cannot be maintained without a liberal pro-

provision. That great statesman, who was “ poor “ amidst a nation’s wealth,” whose ambition was patriotism, whose expence and whose œconomy were only for the public, died in honourable poverty. That circumstance certainly conveys no reproach upon his memory ; but when he had leisure to attend to his private concerns, it distressed him seriously to reflect that he had debts, without the means of paying them, which he could not have avoided incurring, except from a parsimony which would have been called meanness, or by accepting a remuneration from the public, which his enemies would have called rapacity ; for he had no expence of any sort that was not indispensably necessary, except in improvements in his country residence, where his house was hardly equal to the accommodation of the most private gentleman *.

* Towards the latter part of Mr. Pitt’s life, some debts pressed so severely upon him, as to render it necessary for ~~several~~ of his private and most intimate friends to step in to save him from immediate inconvenience, ~~among whom~~ Lord Cowper.

Mr. Pitt’s will, which has been published : which assistance Mr. Pitt agreed to avail himself of only on the express condition of his friends receiving repayment of the sums contributed, with interest ; for securing which a part of his income was to be set aside, as a sinking fund.—He died ! and the nation paid his remaining debts.

In alluding to the embarrassed state of Mr. Pitt's finances, it is due to his memory from the Author, who was never separated from him, either in personal affection or political attachment, from his first entrance into public life, to almost the very latest hour of his existence, to state a circumstance with respect to pecuniary matters infinitely to his credit.

Early in 1789, when the nation was in a state of despondency respecting the health of our beloved Sovereign, and a change in the administration was thought extremely probable, it occurred to several gentlemen of the first respectability in the city of London, that Mr. Pitt, on quitting office, would be in a situation of great embarrassment, not only from some debts which he had unavoidably incurred, but as to the means of his future subsistence. They felt the strong impression, in which the nation participated, of his great virtues, as well as of his eminent talents; and they were sensible, in common with their country, of the value of those services to which his life had been hitherto devoted, particularly to those commercial interests in which they were deeply concerned. Under this impression a certain number of merchants and ship-owners met, and resolved to raise the sum of

of 100,000l., to be presented to him as a free gift—the well-earned reward of his meritorious exertions ; each subscriber engaging never to divulge the name of himself, or of any other person contributing, in order to prevent its being known to any one except themselves, who the contributors were. The only exception to this engagement of secrecy was a respectable Baronet *, who was deputed to come to the Author to learn in what manner the token of esteem and gratitude (as it was expressed) could be presented most acceptably to Mr. Pitt ; whose name was to be as carefully concealed from Mr. Pitt as the others.

Highly flattering as the offer was, and seasonable as the act would have been (proceeding from a set of gentlemen whose motives must have been pure and disinterested, not only in such an unequivocal mark of regard for a falling minister, but from the mode of carrying their object into effect,) the au-

* Sir Robert Preston, then member for Dover, who gave many proofs of kindness and attachment to Mr. Pitt, but never asked a single favor of him : who being still living, no further tribute of justice can be paid to him.

thor entertained doubts of Mr. Pitt accepting the proffered bounty, and therefore thought it right to apprise him of the intention. This occasioned a long discussion on the subject, which ended in Mr. Pitt expressing a positive and fixed determination to decline the acceptance of the liberal and generous offer: a determination that nothing could shake: for when it was urged that it never could be known to him who the subscribers were, and that they were men whose fortunes put them out of all probability of ever soliciting the smallest favor from him; his reply was, "that if he should, at any future time of his life, return to office, he should never see a gentleman from the city without its occurring to him that he might be one of his subscribers."

This positive determination was communicated by the author to the Baronet before alluded to, which put an end to the measure; and in a few days after, Mr. Pitt, in conversing about his future plans, told the author, he had taken a fixed resolution to return to the Bar, and to apply unremittingly to that profession, in order to extricate himself from his difficulties, and to secure, as far as he should

should be able, the means of future independence.

The author will not deny the personal satisfaction which he feels in having it in his power to communicate this anecdote to his readers : but he conceives that its communication may have a use beyond the mere gratification of private feeling, or of public curiosity. It will shew the spirit of disinterestedness and independence which may exist in times that have been represented as pregnant with selfishness, corruption, and venality ; and will furnish an example to future ministers of that sentiment of high and scrupulous honor (a prominent feature in the character of Mr. Pitt) which is the best pledge and guardian of public and private virtue. Were a minister like him to arise, (and who does not pray for such an event ?) who, besides his own unavoidable expences, had a family to support, his embarrassment must be such as, with a man even of the firmest mind, would hang heavy on its powers, and divide, if not weaken those exertions, which the public weal should engross.

In expenditure from the public purse, there is a distinction sufficiently obvious between pensions and rewards apparently of private favor; and sums expressly devoted to public purposes. The first ought scrupulously to be investigated, at least as far as the examination may be made without endangering the dignity of enquiry: and we admit, most unequivocally, that the latter ought to be carefully and anxiously watched. We are aware that the general axiom, that wealth is power, is peculiarly applicable to our present state, and that the husbanding our resources is necessary for the continuance of that power which is to provide for our own safety. It must not be deemed invidious if, while we urge a fair and adequate remuneration for public services, we distinctly and plainly state our opinion of the propriety of preventing, by every possible means, all secret emoluments. The public loses much more than the money by allowing any part of its income to be converted or employed to the use of emolument of its servants:—it is the advantage, and ought to be the condition, of a fair, open, and liberal reward for public service, through all its gradations, to supersede every other source of remuneration. The first

first is an encouragement to honest and honorable merit in the performance of that service with zeal and fidelity ; the last has an evident tendency to taint the purity of office, and to turn into other channels than those of the public interest the exertions of its officers. Nor is it possible for any servant of the public to impose too strict a guard upon himself against deriving the smallest advantage from his situation by any indirect means whatever.

It has been shewn how far there is a ground for the call for further retrenchments, and the extent to which the utmost possible stretch of these would lighten the burthens of the people. It is, in truth, one of those clamours where loudness is substituted for force, but of which the sound is much more powerful than the justice. The retrenchments which have been suggested on more sober grounds, though occasionally by persons not the most conversant either with the resources or the necessary expenditure of the state, have been of two kinds ; either of mere economy, supposing the services to be indispensable ; or of policy, supposing the services to be needless. The last, it is obvious, ought at all times to

to be weighed carefully ; and with a sober and deliberate judgment.

On the more extensive consideration respecting the expenditure for the great branches of the public service, whatever strong opinions the author entertains on the subject, it is not meant to enter into any detail here, as it would not be useful, on his sole authority, to do so : he will content himself with repeating an observation he has made in public, and often endeavoured to enforce in private, that no new or additional expence should be incurred in any department, without the previous knowledge and entire approbation of the minister, who is responsible for the due management of the finances of the country. An invariable adherence to that principle must always be of the very utmost importance : but above all in times like the present, when our war-establishment of every sort is not only the instrument of our national glory, but the means of our national safety, the provision for our national existence. The other branch of saving, that by which the same services may be performed at a cheaper rate, deserves the most serious investigation,

vestigation, and, it is hoped, has undergone the most anxious consideration, in order to the attainment of that laudable end. But the retrenchments should leave the substantial objects of the expenditure in as full efficient vigour as before ; otherwise the safety of the country would be endangered, at a moment when the storm beats furiously against it, and the ruins of other political fabrics are seen all around us.

The remaining subject of animadversion or complaint, the justice of which has also been examined in the foregoing pages, the increase of the *Influence of the Crown*, is a topic to which the jealousy of a free country like ours is always disposed to listen, with prepossession in favor of the affirmative ; yet, from the celebrated motion of Mr. Dunning downwards, the complaints of this influence, although they have been found to be greatly exaggerated, have been patiently investigated, and effectual means of reform have been adopted.

The greatly increased revenue, and all the other augmented and accumulated business of the state, have unavoidably occasioned some increase of patronage ;

age; but the influence created by such means is infinitely short of what has been given up by the measures of œconomy and regulation to which recourse has been had, especially when the description and value of the employments created is compared with those abolished; and it will not be denied to us that the manners of the times; the constant existence of a watchful opposition; the modern usage of parliament; the liberty of the press; and the unbounded circulation of the productions which that liberty encourages; all conspire to limit in practice that influence which, in other times, was so powerful and so prevailing. Not to go back to the more ancient periods of our history, when the great weight of the prerogative bore down all opposition, whether of the parliament or the people; even since the prerogative has been defined and limited by the Revolution, when the people, having recently shaken off their yoke, were likely to have stretched their newly-acquired rights to the utmost, there has not been a reign in which the influence of the Crown has been so unceasingly controlled by the jealousy of the House of Commons as that of His present Majesty.

It is meant to speak with respect of Opposition ; that is, of Opposition in the abstract, without reference to any individual person, or combination of persons. An author who wrote the tract here alluded to, under the eye of that great minister, whose first exertions, after his accession to political power, it was meant to record and illustrate, has defined Opposition in the following impartial and honorable terms ; and it is to the credit of that illustrious statesman's candor and liberality that (as the author informs us*) Mr. Pitt himself revised and corrected the pamphlet in question :—“ It is material “ to consider whence arises this general safe-guard, “ which the public possesses, against the malver-“ sation of ministers against the intentional abuse, or “ the ignorant misapplication, of the powers with “ which they are intrusted. The popular nature “ of our government furnishes a check, of which “ the operation is constant, because it is excited by “ natural and increasing causes. The opportunity “ which parliament affords to the young, the “ bustling, and the ambitious, of canvassing public

* History of the Proceedings of the Parliament of 1784, published in 1785. Mackenzie's works, last edition, vol. 7. p. 395.

“ measures, is one of those salutary counterpoises
 “ which our constitution affords against the weight
 “ of the Executive Power. The Opposition in
 “ Britain is a sort of public body, which, in the
 “ practice at least of our government, is perfectly
 “ known and established. The province of this
 “ ex-official body, when it acts in a manner salutary
 “ to the state, is to watch with jealousy over the
 “ conduct of administration ; to correct the abuses,
 “ and to resist the corruptions of its power ; to
 “ restrain whatever may be excessive, to moderate
 “ what may be inconsiderate, and to supply what
 “ may be defective in its measures.”

Such, I agree with that author, are the legitimate and respectable functions of Opposition, considered as a practical branch of the constitution of Great Britain: such powers, and such jealousy, it is hoped they will always exercise and entertain.

The most degrading corruption of a statesman, or his friends, is indeed, by the influence of money ; but public men may be corrupted by the love of power, as well as by lust of gain ; may be bribed by means of their pride; their obstinacy, or their resent-

resentment ; they may be misled even by mistaken ideas of virtue. In guiding or opposing councils, by which great public interests are sought to be promoted, men must look to the means by which the country may be benefited, independently of private interest, and in possible cases, independently of private reputation. In the machine of State are many movements with which the people are not acquainted ; and the statesman who guides them must often serve the people faithfully and effectually by acting contrary to the opinions of what they conceive to be best suited to their service. A virtuous statesman must act from higher motives than either his own immediate interest, or his own immediate reputation : his interest, a patriot statesman must remember, is that of his country ; his reputation must often be left to the justice of posterity.

THE END.

OPINION
OF
LORD ERSKINE
ON THE
CONSTITUTION
AND
LAW OF ENGLAND,
RESPECTING THE
ARREST AND APPROACHING
TRIAL
INSTITUTED BY
SIR FRANCIS BURDETT,
AGAINST THE
SPEAKER OF THE HOUSE OF COMMONS;
AS DELIVERED IN
THE HOUSE OF LORDS,
On a Motion respecting the State of the Nation, on Monday,
May 7, 1810.
WITH THE
ATTORNEY GENERAL's OPINION
UPON
The Arrest.
AND
THE FULL PARTICULARS OF THE COMMITTAL
OF
SIR FRANCIS PEMBERTON,
Chief Justice of the Court of King's Bench,

With a coloured emblematical Frontispiece.

LONDON:
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[PRICE SIXPENCE.]



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“ *I would sooner die, my Lords, than consent to any dominion but that of the written Law of the Land.—The authorities of Lord Hale and others are no more, against a positive unambiguous Statute, than so many flies buzzing against a wall, and so I shall ever maintain.*”

LORD ERSKINE.

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J. Bennett, Printer, Leather Lane, London.

OPINION
OR
LORD ERSKINE.

My LORDS,

I entirely agree with my Noble Friend who gave the notice,* that notwithstanding the imperfections with which time may have visited our happy Constitution, it is the best and wisest upon the face of the earth, and under which there is the greatest enjoyment of happiness and freedom; but it is impossible to contemplate that perfection without advert- ing to the principles which are its essential characteristic. Its characteristic was cor- rectly expressed by my Noble Friend next to me,† when he said, "that Parliament was the author of it, and that, like our an- cestors, from whom we inherited our free- dom, we should *rally round Parliament*." I agree with my Noble Friend, because in rallying round Parliament, or in other words, round the King, Lords, and Com- mons, we are rallying round the Constitu- tion and the Laws.

It is the cause of the immediate re- ference to this sound doctrine that obliges me to address your Lordships. My Noble Friends have adverted to the late exercise of Privileges by the House of Commons,

* Earl Grey.

† Lord Grenville.

and of the sensation they have created. If they alluded only to the disturbances in this great city which we inhabit, I join in lamenting them; but if they involve in this sentiment, the resistance by those who have been the objects of them—if they allude to actions, which though not pending, are in immediate prospect, I must declare that I consider it to be a matter of the greatest magnitude and importance, which the laws alone ought to determine, and with which your Lordships have *at present* no manner of concern, but which may come legally and judicially before you.

No man would more zealously defend the Privileges of Parliament, or of either House of Parliament, than he should; and he admitted, that what either branch of the Legislature had been for the course of ages exercising with the acquiescence of the whole Legislature, would, *in the absence of Statutes, which would be the grand question*, be evidence of the common law of Parliament, and, as such, of the common law of the land. The jurisdiction of Courts rested in a great measure upon the same foundation; but besides that, these precedents, as applicable alike to all of them, were matters of grave and deliberate consideration—they were, and must be, determined in the end BY THE LAW. He knew that the contrary was

Insisted upon by the Commons, when they committed Lord Chief Justice Pemberton* for holding a plea of them in his Court; but so far was he from considering such a claim as matter of argument under this Government of Law, that I say (said his Lordship,) that if upon the present occasion, a similar attack was made upon my Noble and Learned Friend who sits next me, † for the exercise of his legal jurisdiction, I would resist the usurpation with my strength, and bones, and blood. Why was any danger to the House of Commons or the Country to be anticipated by a sober appeal to the judgment of the Laws? If his Noble and Learned Friend and his Brethren the Judges had no jurisdiction over the Privileges of the House of Commons, they would say they had no jurisdiction. If they thought they had they would give a just decision according to the facts and circumstances of the case, whatever they might be.

The King's Attorney General and a Member of the House of Commons, when called upon by the Serjeant at Arms, for advice upon the subject, was obliged, and most properly, to admit that there was no precedent to be found for his forcible proceeding, and that if death ensued he could not undertake to justify him, but that he would stand justified or not, as the

* See Page 16.

† Lord Ellenborough.

breaking of the house was held lawful or unlawful.* Was this the character of an immemorial and an acknowledged jurisdiction? But it was said that there was an end of the Privileges of Parliament if they must pray in aid the King, or any other authority, to support their jurisdiction. Yet, in the very instance alluded to, they were obliged to pray in aid the King—not of his laws indeed, to which the people would have paid the most implicit obedience, but of his bayonets. He desired to warn their Lordships against too hasty a resort to force. It was a dangerous resort, which never could be necessary in the government of the British people; let the laws speak first, and the people, instead of resisting, would obey.

There was another view in which this question must be looked at. He was giving no opinion whatever on the subject, but stating only the question. Suppose there should be positive statutes upon this subject, before the possible origin of any jurisdiction of the House of Commons—it was contended that there were—he was still giving no opinion. But was it not open to the subject, if he were advised to plead such statutes in bar of the privileges in the cases contended for? And could any authority but a Court of Law over-rule such a plea? Could the Commons themselves resist the

* See the Opinion of the Attorney General, page 13.

effect of such statutes, to which they were parties? There might be statutes, indeed, on such a subject, which, except in form, wanted no judicial cognizance, because every man could read for himself. If a written law would bear two interpretations, and the worst interpretation had been given to it by a series of decisions, that worst interpretation was undoubtedly the law; but where a statute spoke a clear, plain, unambiguous language, the people had a right to the protection of its letter. The Parliament might repeal it; but whilst it was a statute, neither the King, Lords, or Commons, or all of them, had any dominion over it.

On that very ground he had defended from death, some of the subjects of this country; their Lordships might not have been sitting to-day to hear him, if upon these grounds he had not successfully defended the dominion of the laws. He was then told that a conspiracy to levy war against the King was treason, as an attack upon the natural life of the King; he had said No! because the statute of Edward III. *under any interpretation*, had said no also. He was told that Lord Hale and others were against him; to which he had answered, irreverently perhaps, but in other respect rightly, that their authorities were no more against a positive, unambiguous statute, than so many large flies buzzing against a

wall; and so he should for ever maintain. Lord Erskine here said, “ I would rather die, my Lords, than submit to any dominion but that of the written law of the land. I know the law upon this subject, my Lords, as well as any of your Lordships; it is impossible I should not; and it would be criminal to surrender, or even to withhold my opinion.” If he had been warm upon the subject he must be pardoned; he could not alter his nature—what he had ever been through life he must be to-day—what had been the character of his mind and understanding must continue to be its character. He made no apology to his noble friends for this expression of his opinion. They would little deserve the character they justly had in the country, if they were capable not merely from courtesy but even from confidence and affection, to compromise opinions upon such grave and important questions. He was most sincerely attached to the principles of those with whom he had so long acted, and particularly to his two noble friends, whose unquestionable integrity and superior talents entitled them to the great station which they must ever hold in the opinions of mankind. It was to secure that pre-eminence that he made these observations, because he knew that nothing could ever secure contentment and happiness in this country, but the **PROTECTION AND DOMINION OF THE LAW.**

THE
ATTORNEY GENERAL'S OPINION
UPON
SIR F. BURDETT's ARREST.

Query—The Serjeant at Arms attending the House of Commons, having in the execution of this Warrant been resisted, and turned out of Sir Francis Burdett's dwelling-house by force,

Your opinion is desired whether in the execution of this Warrant, he will be justified in breaking open the outer or any inner door of the private dwelling-house of Sir Francis Burdett, or of any other person in which there is reasonable cause to suspect he is concealed, for the purpose of apprehending him; And whether he may take to his assistance a sufficient civil or military force for that purpose, such force acting under the direction of a Civil Magistrate? And whether such proceedings will be justifiable during the night as well as in the daytime?

Opinion.—“No instance is stated to me, and I presume that none is to be found, in which the outer door of a house has been broken open under the Speaker's Warrant, for the purpose of apprehending the person against whom such Warrant issued then being therein. I must, therefore, form my opinion altogether upon cases which have arisen upon the execution of writs or warrants issuing from other Courts, and which seem to fall within the same principle.

“ I find it laid down in Semayne’s case, 5 Co. 91. that were the King is a party, the Sheriff may break open the Defendant’s house, either to arrest him or to do other execution of the King’s process; if otherwise, he cannot enter. So if the Defendant be in the house of another man, the Sheriff may do the same; but he cannot break into the house of the Defendant in the execution of any process at the suit of an individual. This distinction proceeds, as I apprehend, upon the greater importance of enforcing the process of the Crown for the public benefit, than that of individuals for the support of their private rights. Reasoning from hence, I should think that the Speaker’s Warrant, which had issued to apprehend a man under sentence of commitment for a Breach of the Privileges of the **House of Commons**, might be executed in the same manner with criminal process in the name of the King, inasmuch as those Privileges were given to the House of Commons for the benefit of the public only; and the public are interested in the due support of them.—If the **act** had been done, and I were asked whether it could be defended, I should say that it could; but where it is previously known that the execution of the Warrant will be resisted by force, and if death should ensue in such a conflict, the officer who executes the Warrant would stand justified, or not, as the breaking of the

house may be held lawful or unlawful. I feel myself obliged to bring this under his notice, leaving him to judge for himself whether he will venture to act upon my opinion which has no direct authority in point to support it, but rests upon reasoning from other cases, which appear to me to fall within the same principle. Should the officer resolve to break into the house, if it be found necessary, he must be careful, first, to signify the cause of his coming, and make request to open the doors, and not use any force until it appears that those within will not comply; and he should be assured that the party whom he seeks to apprehend is within the house. For the purpose of executing the Warrant, he may take with him a sufficient force of such description as the nature of the case renders necessary. If he has reason to apprehend a degree of resistance, which can only be repelled by a military force, he may take such force with him; but in this case it will be prudent to take with him also a civil Magistrate.

“ I do not think it advisable to execute the warrant in the night.

“ The Officer should understand, that when Sir Francis Burdett has once been arrested, if he afterwards effects his escape or is rescued, his own house or the house of any other person into which he retreats, may be broken for the purpose of re-taking him.

COMMITTAL
OF
SIR FRANCIS PEMBERTON,
Chief Justice of the Court of King's Bench,

The case of Mr. Topham, Serjeant at Arms.
1st. WILLIAM AND MARY.

Sir Francis Pemberton, Chief Justice of the King's Bench, and Sir Thomas Jones, one of the Judges of the same Court, were ordered to attend the House of Commons in consequence of the petition of Mr. Topham, Serjeant at Arms.

On the 10th of July, 1689, Sir Francis Pemberton being at the Bar—the Speaker said, “The House has been acquainted “there was an action brought in the King's “Bench, 34 Car. 2, by one Jay against “Serjeant Topham. To which action he “pleaded the jurisdiction of this House; and “that it proceeded to a demurrer, and the “plea was over-ruled by you as Chief “Justice; so the House has sent for you to “know upon what ground you did it.”

Sir Francis Pemberton.—Under favour I can say nothing to this action; but this I can say, if the Defendant should plead he did arrest him by the command of this House, and should plead that 'o the jurisdiction of the Court of King's Bench (I can say nothing to this particular action), but I think, with submission, I can satisfy you that such a plea ought to be over-ruled; and I take it the law is very clear as to this.

The *Speaker* demanded that he should forthwith give the reasons that would satisfy the House it was so.

Sir Francis Pemberton said, he could only speak generally—and whether the order for taking Jay into custody was pleadable to the jurisdiction, I did apprehend by the law it was not pleadable. As to the justification of this, I cannot, may be, upon the sudden, be prepared with such reasons as will satisfy the House. If they put it upon me to tell my present apprehensions, that is another thing.

Mr. Speaker.—I believe the House will be willing to hear your present apprehensions.

Sir Francis Pemberton.—The question is of the manner of pleading this *Order of the House*—whether it may be pleaded to the jurisdiction of the Court or not. And under favour, I have always taken it that such a plea could not be pleaded to the jurisdiction of the Court, but it is a good plea by way of bar. The justification here is a proper matter of bar, and 'tis a good justification; but whether the Court shall be excluded their jurisdiction, that they shall not know whether this is true or no is the question; for if this be pleaded to the jurisdiction there is an end of it. Now here it is allowed by all people living, I think no Judge ever denied it, that the *Order of this House* was sufficient to take

any one into custody. No Judge, I presume, ever thought otherwise; but if this be pleaded to the jurisdiction, the hands of the Court are closed. So that whether he had such an order or not is not to be inquired of by the Court. He that does any thing under an Act of Parliament does it under as high an authority as he that acts under the authority of this House, for that is the authority of the nation: yet in those cases, though you are tender that none be prejudiced acting by that authority, yet you have never made any provision that it might be pleaded to the jurisdiction. The King's Bench hath a general jurisdiction to examine the things that are done, whether fairly or not. This plea is allowable, and ought to be allowable to any action of trespass to be brought. But under favour, I must submit it to you—I take the law to be manifestly plain—That by way of plea to the jurisdiction it cannot be, but it ought to be over-ruled. This is my present apprehension.

The Judges then withdrew, and the House came to the following resolution:

“Resolved, That the Orders and Proceedings of the House being pleaded to the jurisdiction of the Court of King's Bench ought not to be over-ruled.”

On July 19th, the Judges attended again.

Sir Francis Pemberton then stated the particular case of *Jay v. Topham*. The case was

an action of Trespass for arresting and detaining him in prison by the space of ten days, and keeping him till he paid 30*l.* to let him out of prison. To this the Defendant pleaded that he did it by an order of the House, and this he pleaded to the jurisdiction of the Court, that the Court had nothing to do with it, nor ought further to examine the matter; and upon that there was a demurrer; and upon the demurrer, it was by the Court adjudged that he should answer over—that is, that he should plead in bar of the action.

Now, Sir, as to the reasons. When this action was pleaded to the jurisdiction of the Court, I could find no judgment at all against the jurisdiction of the Court in any such case, nor any vote of this House, or any thing or order against it at all. And finding no footsteps of law, I did consider then what was reasonable and fitting to be done. I knew we had a jurisdiction in the case of such an action as this is—That this House is a superior court, of a higher nature than the King's Bench, and of a greater authority; but then on the other side I considered if the Courts of Law could not examine it, there would be a cause struck off by a bare allegation without any more to do; for if we had no cognizance of it; if we could not examine the matters that were done in pursuance of the orders of this House, how could we impannel a Jury,

and to what purpose should we try it; for, if we could not give damages if he exceeded his authority what should we examine it for? Where justifications are made by Act of Parliament, yet forced as the matter in those cases is, I never heard there was any provision made for pleading to the jurisdiction, though it is by a higher authority than this House is; nor is this all—for in this case if we could not examine it, the man would be without any remedy in the world—so that if one of your Officers should abuse your orders, the person that he hath abused could have no help if the Courts of Law could not help him—so that my apprehensions were, that unless the Courts of Law had jurisdiction of all such actions as these were, this man must be remediless if he had suffered wrong.

Sir Thomas Jones spoke to the same effect; and he added, “Where the entire matter is transacted in this House, there a plea to the jurisdiction of the Court is proper; but in the present case I did conceive that that jurisdiction was most proper, that could try and determine the whole merits of the cause between both parties. The authority of this House is great, but with all reverence be it spoken, the authority of an Act of Parliament is greater than the authority of this House—and in case one man does any thing by virtue of an Act of Parliament, if any other man

shall be so hardy as to question his doing his duty; the party so questioned is either to plead in bar especially, as he may plead generally, and gave in evidence the special matter, but it never was known that any man should offer to say, I am an Officer by Act of Parliament, and therefore demand whether you will take cognizance of the matter, having done what I did by Act of Parliament."

Notwithstanding these reasons the House resolved,

" That Sir Francis Pemberton and Sir Thomas Jones, giving judgment to overrule the plea, to the jurisdiction of the Court of King's Bench in the case between Jay and Topham, had broken the privileges of this House."

And, by order of the House, both Sir Francis Pemberton and Sir Thomas Jones, were taken into custody for the said breach of privilege, and lay by till there came a prorogation.

all this did not intimidate future Judges. If we may trust to history, the Lord Chief Justice Holt asserted the jurisdiction of the Court with a high tone.

In the Aylesbury Case, Lord Chief Justice Holt and several Lawyers were hardy and resolute enough to oppose an order of the House of Commons, and brought it on in the Court of King's Bench.

The House of Commons, highly irritated at this contempt of their order, sent a Serjeant at Arms for the Judge to appear before them; but that immortal and resolute defender of the laws, bade him, with a thundering voice of authority, **BEGONE!**—On which they sent a second message by their Speaker, attended by as many members as espoused the measure. After the Speaker had delivered his message, his Lordship replied to him in the following remarkable words: “Go back to your Chair, Mr. Speaker, within these five minutes, or you may depend upon it I will send you to Newgate; you speak of your authority, but I tell you I sit here as an interpreter of the laws and distributor of justice, and were the whole House of Commons in your belly I would not stir one foot!”—The Speaker was *prudent* enough to retire; and the House were equally prudent to let the affair drop.

THE END.

